

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 81692**

This is to certify that: **E DALE JOLLEY**
646 LEMHI RD
SALMON, ID 83467

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 Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
74-178A	WR/DECREED	3/9/1912	1.000 cfs	N/A	149.1	272.1	BOHANNON CREEK, LEMHI RIVER
74-179A	WR/DECREED	6/1/1897	2.080 cfs	N/A	103.3	272.1	BOHANNON CREEK, LEMHI RIVER
74-179B	WR/DECREED	6/1/1897	1.500 cfs	N/A	149.1	272.1	BOHANNON CREEK, LEMHI RIVER
74-180A	WR/DECREED	3/9/1912	1.000 cfs	N/A	111.3	272.1	BOHANNON CREEK, LEMHI RIVER
74-2047D	WR/DECREED	9/19/1909	0.750 cfs	N/A	18.6	272.1	LEMHI RIVER
74-844	WR/DECREED	4/1/1959	0.250 cfs	N/A	N/A	14.3	LEMHI RIVER

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>
74-178A	NO	NO	YES	YES	NO	NO
74-179A	NO	NO	YES	YES	NO	NO
74-179B	NO	NO	YES	YES	NO	NO
74-180A	NO	NO	YES	YES	NO	NO
74-2047D	NO	NO	YES	YES	NO	NO
74-844	YES	NO	YES	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>
74-178A	74-178A	1.000 cfs	N/A	149.1	272.1	N/A	N/A	N/A	N/A	N/A
74-179A	74-179A	2.080 cfs	N/A	103.3	272.1	N/A	N/A	N/A	N/A	N/A
74-179B	74-179B	1.500 cfs	N/A	149.1	272.1	N/A	N/A	N/A	N/A	N/A
74-180A	74-180A	1.000 cfs	N/A	111.3	272.1	N/A	N/A	N/A	N/A	N/A
74-2047D	74-2047D	0.750 cfs	N/A	18.6	272.1	N/A	N/A	N/A	N/A	N/A
74-844	74-16160	4.750 cfs	N/A	260.8	272.1	74-844	0.250 cfs	N/A	N/A	14.3
COMBINED TOTALS		11.080 cfs	N/A	260.8	272.1		N/A	N/A	N/A	N/A

Transfer No. 81692

SUPPORT DATA
FILE # 74-178A

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 81692

This water right(s) 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. Detailed Water Right Description(s) attached.

Dated this 15th day of February, 2018.


GARY SPACKMAN, Director



WATER RIGHT NO. 74-178A**As Modified by Transfer No. 81692**

In accordance with the approval of Transfer No. 81692, Water Right No. 74-178A is now described as follows:

Right Holder: E DALE JOLLEY
646 LEMHI RD
SALMON, ID 83467

Priority Date: 3/9/1912

Source: BOHANNON CREEK
Source: LEMHI RIVER

Tributary: LEMHI RIVER
Tributary: SALMON RIVER

BENEFICIAL USE

IRRIGATION

From

3/15

To

to 11/15

Diversion Rate

1.000 cfs

1.000 cfs

LOCATION OF POINT(S) OF DIVERSION

BOHANNON CREEK
LEMHI RIVER

SENE
SESE

Sec 28 Twp 21N Rge 23E LEMHI County
Sec 29 Twp 21N Rge 23E LEMHI County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
21N	23E	19				21.6								7.5	39.1	14.9	38.3	14.7	136.1
21N	23E	20							12.9			8.3	28.0	2.7					51.9
21N	23E	29					17.1	39.2	17.6	0.3									74.2
21N	23E	30		8.2			1.7												9.9

Right Acre Limit: 149.1

POU Total Acres: 272.1

CONDITIONS OF APPROVAL

1. Rights 74-178A and 74-179B when combined shall not exceed the irrigation of 149.1 acres.
2. Rights 74-178A, 74-179A, 74-179B, and 74-180A when combined shall not exceed the irrigation of 252.4 acres.
3. Rights 74-178A, 74-179A, 74-179B, 74-180A, and 74-16160 when combined shall not exceed the irrigation of 260.8 acres.
4. Use of water under this right may 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 Nos. 74 and 74C.

Transfer No. 81692

WATER RIGHT NO. 74-178A
As Modified by Transfer No. 81692

CONDITIONS OF APPROVAL

5. 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 watermasters suitable control of the diversion(s).
6. Diversion from the Lemhi River is limited to those times water is available for diversion under this right and priority from Bohannon Creek and is actually delivered to the Lemhi River.
7. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the department for measuring the flow in Bohannon Creek at the original point of diversion and at the confluence with the Lemhi River.
8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre when delivered via pump and pressurized irrigation system nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
9. This right does not grant any right-of-way or easement across the land of another.
10. 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.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 74-179A
As Modified by Transfer No. 81692

In accordance with the approval of Transfer No. 81692, Water Right No. 74-179A is now described as follows:

Right Holder: E DALE JOLLEY
 646 LEMHI RD
 SALMON, ID 83467

Priority Date: 6/1/1897

Source: BOHANNON CREEK
Source: LEMHI RIVER

Tributary: LEMHI RIVER
Tributary: SALMON RIVER

BENEFICIAL USE
 IRRIGATION

From 3/15 **To** 11/15

Diversion Rate
 2.080 cfs
 2.080 cfs

LOCATION OF POINT(S) OF DIVERSION

BOHANNON CREEK
 LEMHI RIVER

SENE
 SESE

Sec 28 Twp 21N Rge 23E LEMHI County
 Sec 29 Twp 21N Rge 23E LEMHI County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
21N	23E	19				21.6								7.5	39.1	14.9	38.3	14.7	136.1
21N	23E	20							12.9			8.3	28.0	2.7					51.9
21N	23E	29					17.1	39.2	17.6	0.3									74.2
21N	23E	30		8.2			1.7												9.9

Right Acre Limit: 103.3

POU Total Acres: 272.1

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 103.3 acres within the authorized place of use in a single irrigation season.
2. Rights 74-179A and 74-180A when combined shall not exceed the irrigation of 115.0 acres.
3. Rights 74-178A, 74-179A, 74-179B, and 74-180A when combined shall not exceed the irrigation of 252.4 acres.
4. Rights 74-178A, 74-179A, 74-179B, 74-180A, and 74-16160 when combined shall not exceed the irrigation of 260.8 acres.

Transfer No. 81692

WATER RIGHT NO. 74-179A
As Modified by Transfer No. 81692

CONDITIONS OF APPROVAL

5. Use of water under this right may 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 Nos. 74 and 74C.
6. 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 watermasters suitable control of the diversion(s).
7. Diversion from the Lemhi River is limited to those times water is available for diversion under this right and priority from Bohannon Creek and is actually delivered to the Lemhi River.
8. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the department for measuring the flow in Bohannon Creek at the original point of diversion and at the confluence with the Lemhi River.
9. This right when combined with all other rights shall provide no more than 0.02 cfs per acre when delivered via pump and pressurized irrigation system nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
10. This right does not grant any right-of-way or easement across the land of another.
11. 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.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 74-179B
As Modified by Transfer No. 81692

In accordance with the approval of Transfer No. 81692, Water Right No. 74-179B is now described as follows:

Right Holder: E DALE JOLLEY
 646 LEMHI RD
 SALMON, ID 83467

Priority Date: 6/1/1897

Source: BOHANNON CREEK
Source: LEMHI RIVER

Tributary: LEMHI RIVER
Tributary: SALMON RIVER

BENEFICIAL USE

IRRIGATION

From

3/15

to

To

11/15

Diversion Rate

1.500 cfs

1.500 cfs

LOCATION OF POINT(S) OF DIVERSION

BOHANNON CREEK
 LEMHI RIVER

SENE
 SESE

Sec 28 Twp 21N Rge 23E LEMHI County
 Sec 29 Twp 21N Rge 23E LEMHI County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
21N	23E	19				21.6								7.5	39.1	14.9	38.3	14.7	136.1
21N	23E	20							12.9				8.3	28.0	2.7				51.9
21N	23E	29					17.1	39.2	17.6	0.3									74.2
21N	23E	30		8.2			1.7												9.9

Right Acre Limit: 149.1

POU Total Acres: 272.1

CONDITIONS OF APPROVAL

1. Rights 74-178A and 74-179B when combined shall not exceed the irrigation of 149.1 acres.
2. Rights 74-178A, 74-179A, 74-179B, and 74-180A when combined shall not exceed the irrigation of 252.4 acres.
3. Rights 74-178A, 74-179A, 74-179B, 74-180A, and 74-16160 when combined shall not exceed the irrigation of 260.8 acres.
4. Use of water under this right may 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 Nos. 74 and 74C.

Transfer No. 81692

WATER RIGHT NO. 74-179B
As Modified by Transfer No. 81692

CONDITIONS OF APPROVAL

5. 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 watermasters suitable control of the diversion(s).
6. Diversion from the Lemhi River is limited to those times water is available for diversion under this right and priority from Bohannon Creek and is actually delivered to the Lemhi River.
7. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the department for measuring the flow in Bohannon Creek at the original point of diversion and at the confluence with the Lemhi River.
8. This right when combined with all other rights shall provide no more than 0.02 cfs per acre when delivered via pump and pressurized irrigation system nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
9. This right does not grant any right-of-way or easement across the land of another.
10. 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.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 74-180A**As Modified by Transfer No. 81692**

In accordance with the approval of Transfer No. 81692, Water Right No. 74-180A is now described as follows:

Right Holder: E DALE JOLLEY
646 LEMHI RD
SALMON, ID 83467

Priority Date: 3/9/1912

Source: BOHANNON CREEK
Source: LEMHI RIVER

Tributary: LEMHI RIVER
Tributary: SALMON RIVER

BENEFICIAL USE

IRRIGATION

From

3/15

To

to 11/15

Diversion Rate

1.000 cfs

1.000 cfs

LOCATION OF POINT(S) OF DIVERSION

BOHANNON CREEK
LEMHI RIVER

SENE
SESE

Sec 28 Twp 21N Rge 23E LEMHI County
Sec 29 Twp 21N Rge 23E LEMHI County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
21N	23E	19				21.6								7.5	39.1	14.9	38.3	14.7	136.1
21N	23E	20							12.9			8.3	28.0	2.7					51.9
21N	23E	29					17.1	39.2	17.6	0.3									74.2
21N	23E	30		8.2			1.7												9.9

Right Acre Limit: 111.3

POU Total Acres: 272.1

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 111.3 acres within the authorized place of use in a single irrigation season.
2. Rights 74-179A and 74-180A when combined shall not exceed the irrigation of 115.0 acres.
3. Rights 74-178A, 74-179A, 74-179B, and 74-180A when combined shall not exceed the irrigation of 252.4 acres.
4. Rights 74-178A, 74-179A, 74-179B, 74-180A, and 74-16160 when combined shall not exceed the irrigation of 260.8 acres.

Transfer No. 81692

WATER RIGHT NO. 74-180A
As Modified by Transfer No. 81692

CONDITIONS OF APPROVAL

5. Use of water under this right may 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 Nos. 74 and 74C.
6. 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 watermasters suitable control of the diversion(s).
7. Diversion from the Lemhi River is limited to those times water is available for diversion under this right and priority from Bohannon Creek and is actually delivered to the Lemhi River.
8. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the department for measuring the flow in Bohannon Creek at the original point of diversion and at the confluence with the Lemhi River.
9. This right when combined with all other rights shall provide no more than 0.02 cfs per acre when delivered via pump and pressurized irrigation system nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
10. This right does not grant any right-of-way or easement across the land of another.
11. 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.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 74-844

As Modified by Transfer No. 81692

In accordance with the approval of Transfer No. 81692, Water Right No. 74-844 is now described as follows:

Right Holder: E DALE JOLLEY
646 LEMHI RD
SALMON, ID 83467

Priority Date: 4/1/1959

Source: LEMHI RIVER

Tributary: SALMON RIVER

BENEFICIAL USE

IRRIGATION

From

3/15

To

to 11/15

Diversion Rate

0.250 cfs

0.250 cfs

LOCATION OF POINT(S) OF DIVERSION

LEMHI RIVER

SESESE

Sec 29 Twp 21N Rge 23E LEMHI County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
21N	23E	19														14	0.3		14.3

POU Total Acres: 14.3

CONDITIONS OF APPROVAL

1. This right is used to supplement the irrigation of land also irrigated by Geertson Creek.
2. 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Transfer No. 81692

WATER RIGHT NO. 74-16160**As Modified by Transfer No. 81692**

In accordance with the approval of Transfer No. 81692, Water Right No. 74-16160 is now described as follows:

Right Holder: E DALE JOLLEY
646 LEMHI RD
SALMON, ID 83467

Priority Date: 4/1/1959

Source: LEMHI RIVER

Tributary: SALMON RIVER

BENEFICIAL USE

IRRIGATION

From

3/15

To

to 11/15

Diversion Rate

4.750 cfs

4.750 cfs

LOCATION OF POINT(S) OF DIVERSION

LEMHI RIVER

SESE

Sec 29 Twp 21N Rge 23E LEMHI County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
21N	23E	19				21.6								7.5	39.1	14.9	38.3	14.7	136.1
21N	23E	20							12.9			8.3	28.0	2.7					51.9
21N	23E	29					17.1	39.2	17.6	0.3									74.2
21N	23E	30		8.2			1.7												9.9

Right Acre Limit: 260.8

POU Total Acres: 272.1

CONDITIONS OF APPROVAL

1. Rights 74-178A, 74-179A, 74-179B, 74-180A, and 74-16160 when combined shall not exceed the irrigation of 260.8 acres.
2. This right is used to supplement the irrigation of land also irrigated by Bohannon Creek.
3. Use of water under this right may 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. 74.
4. 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).

Transfer No. 81692

WATER RIGHT NO. 74-16160
As Modified by Transfer No. 81692

CONDITIONS OF APPROVAL

5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre when delivered via pump and pressurized irrigation system nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
6. This right does not grant any right-of-way or easement across the land of another.
7. 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.
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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 74-2047D
As Modified by Transfer No. 81692

In accordance with the approval of Transfer No. 81692, Water Right No. 74-2047D is now described as follows:

Right Holder: E DALE JOLLEY
 646 LEMHI RD
 SALMON, ID 83467

Priority Date: 9/19/1909

Source: LEMHI RIVER

Tributary: SALMON RIVER

BENEFICIAL USE

IRRIGATION

From

3/15

To

to 11/15

Diversion Rate

0.750 cfs

0.750 cfs

LOCATION OF POINT(S) OF DIVERSION

LEMHI RIVER
 LEMHI RIVER

SESE
 NWNW

Sec 29 Twp 21N Rge 23E LEMHI County
 Sec 33 Twp 21N Rge 23E LEMHI County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
21N	23E	19				21.6								7.5	39.1	14.9	38.3	14.7	136.1
21N	23E	20							12.9			8.3	28.0	2.7					51.9
21N	23E	29					17.1	39.2	17.6	0.3									74.2
21N	23E	30		8.2			1.7												9.9

Right Acre Limit: 18.6
 POU Total Acres: 272.1

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 18.6 acres within the authorized place of use in a single irrigation season.
2. Rights 74-2047D and 74-16160 when combined shall not exceed the irrigation of 256.8 acres.
3. Use of water under this right may 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. 74.
4. 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 watermasters suitable control of the diversion(s).

Transfer No. 81692

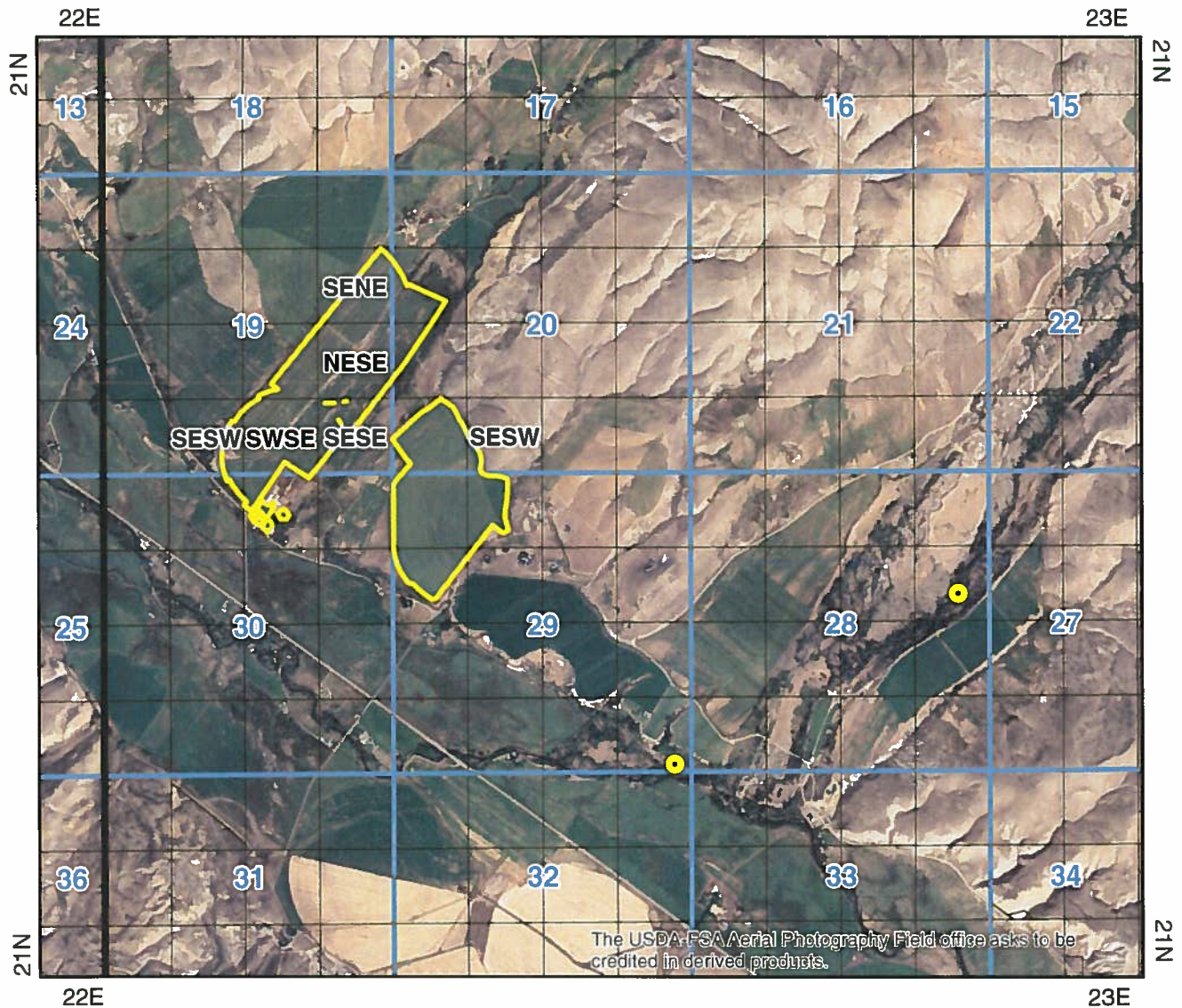
WATER RIGHT NO. 74-2047D
As Modified by Transfer No. 81692

CONDITIONS OF APPROVAL

5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre when delivered via pump and pressurized irrigation system nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
6. This right does not grant any right-of-way or easement across the land of another.
7. 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.
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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

State of Idaho
Department of Water Resources
Attachment to Transfer 81692
Water Rights 74-178A, 74-179A, 74-179B & 74-180A

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



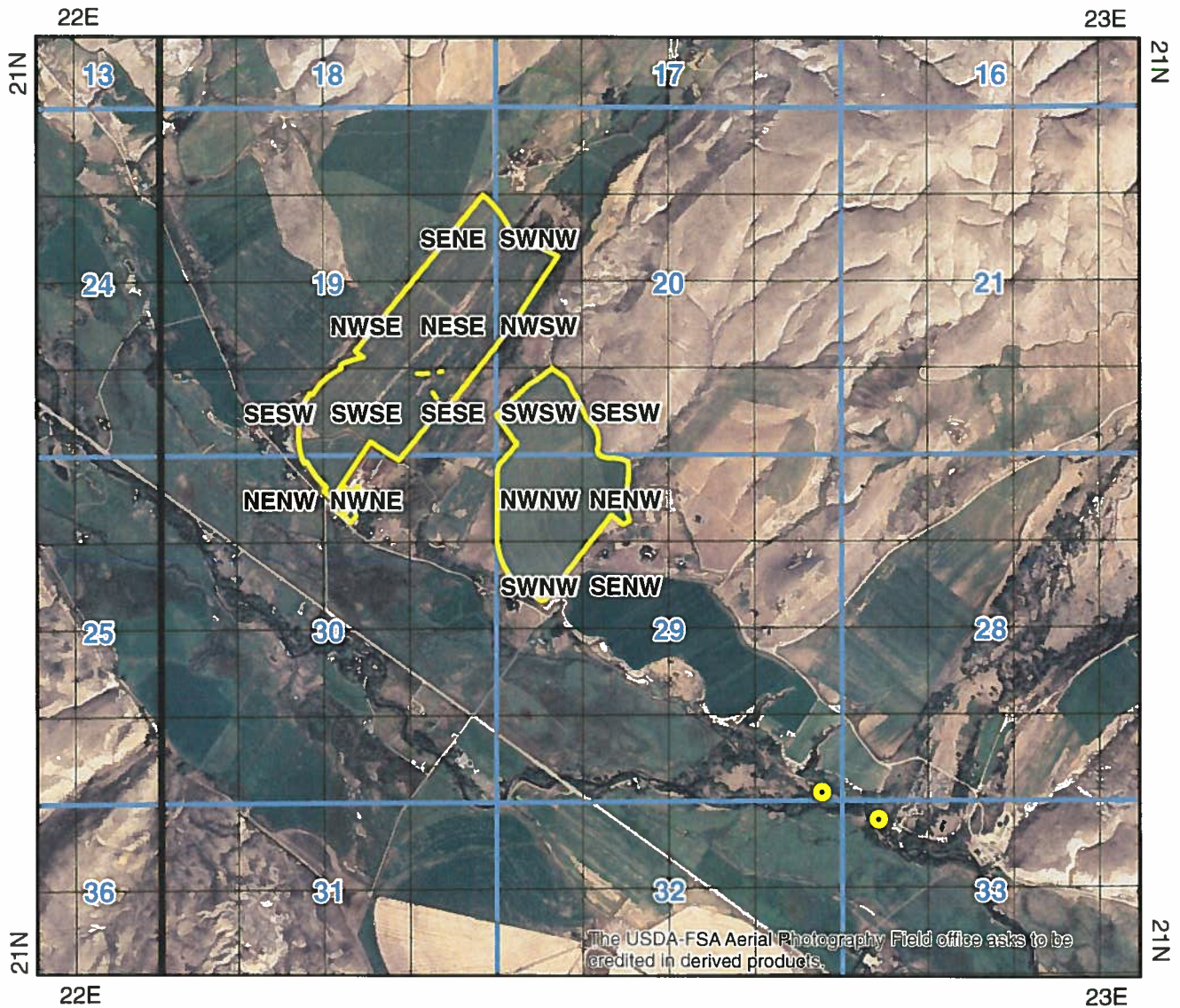
-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections

0 0.375 0.75 1.5 Miles



State of Idaho
Department of Water Resources
Attachment to Transfer 81692
Water Right 74-2047D

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



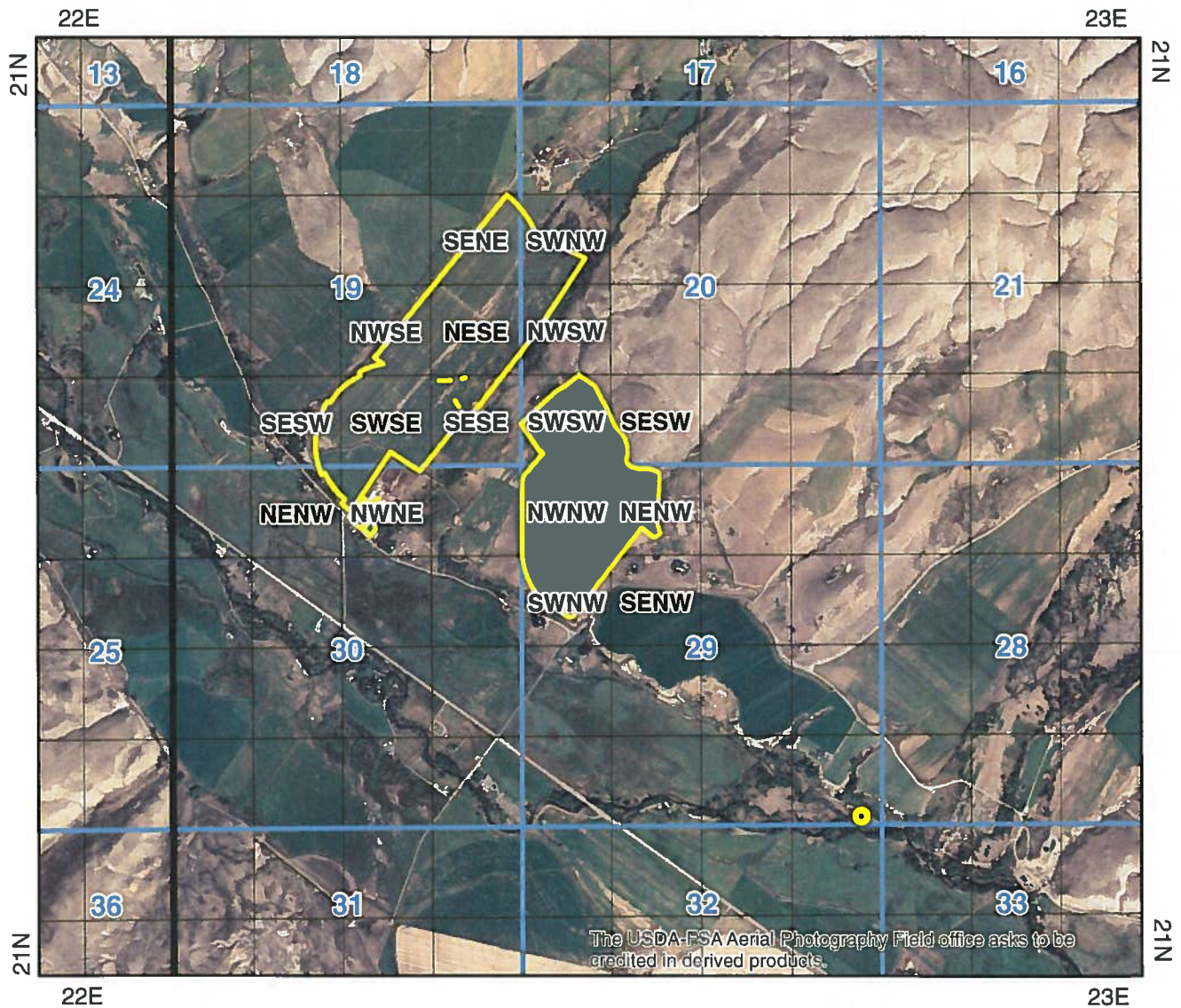
- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections

0 0.325 0.65 1.3 Miles



State of Idaho
Department of Water Resources
Attachment to Transfer 81692
Water Right 74-16160

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



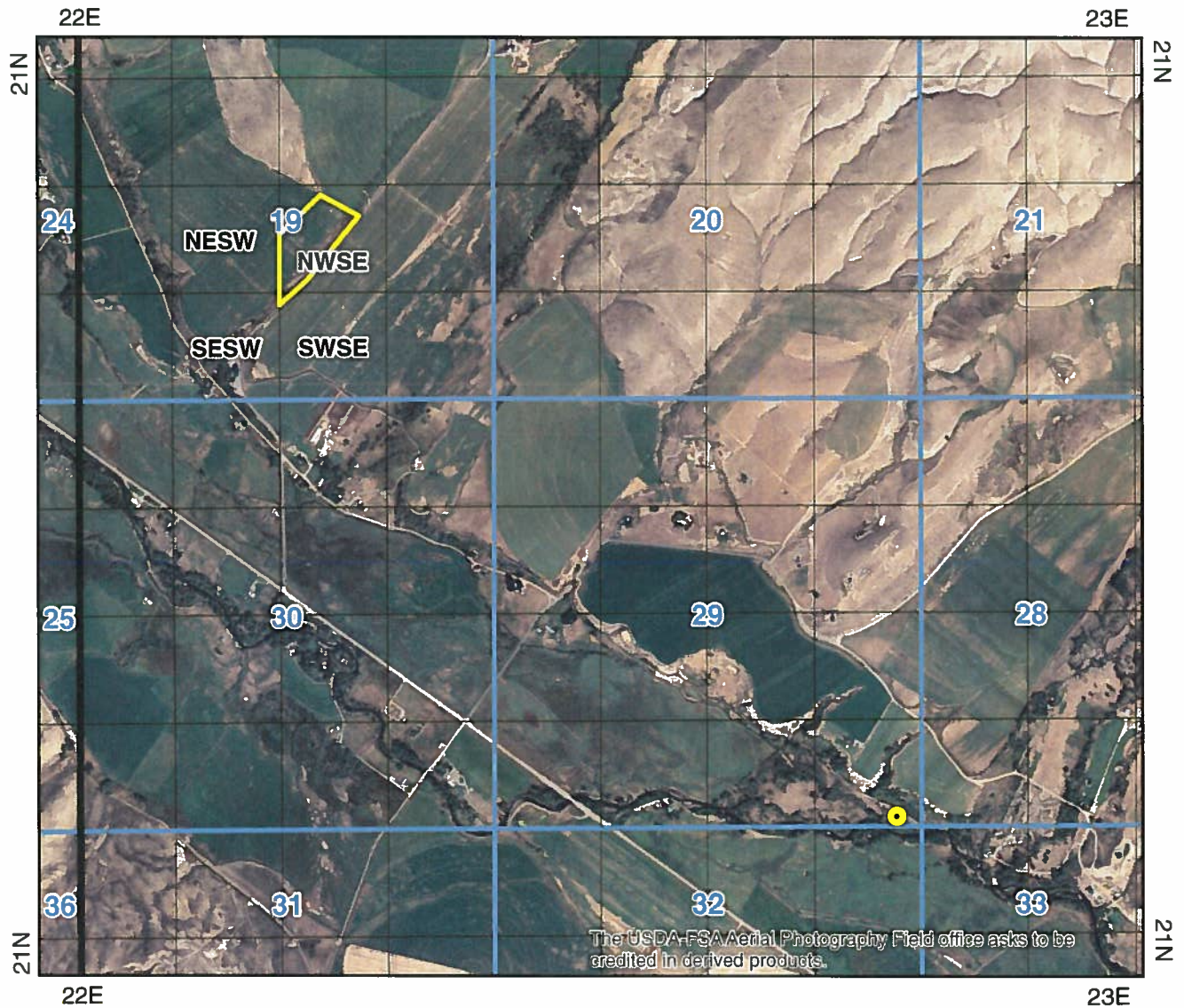
- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections

0 0.3 0.6 1.2 Miles



State of Idaho
Department of Water Resources
Attachment to Transfer 81692
Water Right 74-844

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections

0 0.275 0.55 1.1 Miles





State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

February 15, 2018

E DALE JOLLEY
646 LEMHI RD
SALMON ID 83467

Re: Application for Transfer No.: 81692
Water Right No(s): 74-178A , 74-179A , 74-179B , 74-180A , 74-844, 74-2047D

Dear Water Right Holder:

The Department of Water Resources (IDWR) has enclosed a corrected transfer approval dated February 15, 2018, for the water rights referenced above. The corrected approval includes the original decreed point of diversion known as L-9 on Right 74-2047D.

This approval is a final order issued by IDWR pursuant to Rule 760 of IDWR's Rules of Procedure (IDAPA 37.01.01). The corrected transfer approval supersedes the approval issued on January 19, 2018. **If you disagree with this final order, you can petition for reconsideration, request a hearing, or appeal to district court as further described in the enclosed information sheet.**

If you have questions, please contact me at (208) 287-4951.

Sincerely,

Pamela S. Skaggs

Water Rights Supervisor

Enclosure

CC:
BOYD STOKES
WATER DISTRICTS #74 & #74C
IDAHO DEPT OF FISH & GAME SALMON REGION

CERTIFICATE OF SERVICE

I hereby certify that on February 16, 2018 I mailed a true and correct copy, postage prepaid, of the foregoing FINAL ORDER (Approved Transfer) to the person(s) listed below:

Re: Transfer No.: 81692

Water Right No(s): 74-178A , 74-179A , 74-179B , 74-180A , 74-844, 74-2047D

**E DALE JOLLEY
646 LEMHI RD
SALMON ID 83467**

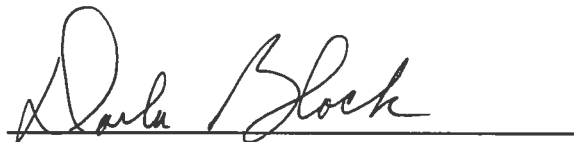
**BOYD STOKES
650 LEMHI RD
SALMON ID 83467**

**IDAHO DEPT OF FISH & GAME
SALMON REGION
99 HWY 93 N
SALMON ID 83467**

**WATER DISTRICT #74
RICK SAGER
985 HWY 28
SALMON ID 83467**

WATER DISTRICT #74C

**JERRY ELZINGA
700 MONROE
SALMON ID 83467**

A handwritten signature in black ink, reading "Darla Block", is written over a horizontal line.

**Darla Block
Technical Records Specialist**

EXPLANATORY INFORMATION TO ACCOMPANY A FINAL ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 740.02)

The accompanying order is a "Final Order" issued by the department pursuant to section 67-5246, Idaho Code.

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a final order within fourteen (14) days of the service date of this order as shown on the certificate of service. **Note: The petition must be received by the Department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5246(4), Idaho Code.

REQUEST FOR HEARING

Unless the right to a hearing before the director or the water resource board is otherwise provided by statute, any person who is aggrieved by the action of the director, and who has not previously been afforded an opportunity for a hearing on the matter shall be entitled to a hearing before the director to contest the action. The person shall file with the director, within fifteen (15) days after receipt of written notice of the action issued by the director, or receipt of actual notice, a written petition stating the grounds for contesting the action by the director and requesting a hearing. See section 42-1701A(3), Idaho Code. **Note: The request must be received by the Department within this fifteen (15) day period.**

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, any party aggrieved by a final order or orders previously issued in a matter before the department may appeal the final order and all previously issued orders in the matter to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of: a) the service date of the final order, b) the service date of an order denying petition for reconsideration, or c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration, whichever is later. See section 67-5273, Idaho Code. The filing of an appeal to district court does not in itself stay the effectiveness or enforcement of the order under appeal.

MEMORANDUM

Date: February 15, 2018
To: Shelley Keen
From: Pam Skaggs
Re: **Transfer 81692 E Dale Jolley – Request to Correct POD 74-2047D**

Mr. Jolley contacted the Department today regarding recently approved Transfer 81692. The transfer application submitted on May 22, 2017 identified a single point of diversion (POD) on Part 1.B.3. POD description, but noted in an attachment to the application under Part 1.A.2.narrative description of proposed change:

“One of the water rights, 74-844 is currently decreed at L-8A and no change to that POD is proposed. The remaining water rights, 74-178A, 74-179A, 74-180A and **74-2047D** are submitted in this application for **an additional POD at L-8A.**”

The transfer approval added the new POD of L-8A to all the rights, but also inadvertently removed the original POD of L-9 from 74-2047D. After this error was identified, Mr. Jolley contacted the Department requesting that the approval be corrected by returning the original decreed POD of L-9 to Right 74-2047D in addition to the new POD of L-8A.

The transfer was approved on January 19, 2018 and the 14 day period for petition for reconsideration passed on February 2, 2018. Pursuant to Rule 760 of IDWR's Rules of Procedure (IDAPA 37.01.01) the agency head may correct a preliminary order that has become final within 42 days of approval or March 2, 2018 in this case.

We agree that the elimination of the original POD was not intended by the right holder. A new transfer approval document with the correction to Right 74-2047D has been prepared for the Director's consideration.

Skaggs, Pam

From: Cassel, Amy
Sent: Thursday, February 15, 2018 10:38 AM
To: Skaggs, Pam
Cc: Edl, Michele
Subject: Letter from Boyd Stokes re: 74-2047D
Attachments: Boyd Stokes Letter 74-2047D 02.14.2018.pdf

Hi Pam,

Please see attached letter from Boyd Stokes regarding the transfer of 74-2047D. I can drop the original in the email if necessary.

Thanks,

Amy Cassel
Program Manager, Water Transaction Program
Idaho Department of Water Resources
102 S. Warpath
Salmon, ID 83467
O: (208) 742-0656
C: (208) 577-1565

February 14, 2018

Idaho Department of Water Resources
322 E. Front Street, Suite 648
Boise, ID 83702-7371

RE: Transfer No. 81692

It was brought to my attention last week that the point of diversion for Water Right No. 74-2047D was *moved* from the L-9 diversion on the Lemhi River to the L-8A diversion on the Lemhi River. The intent of the transfer application was to *add* 74-2047D to the L-8A diversion as an *additional* POD to the *existing* POD location at L-9.

Therefore, I request that the transfer be corrected to show that WR No. 74-2047D remain at the L-9 location with an additional POD at L-8A.

Thank you,

A handwritten signature in cursive script that reads "Boyd Stokes".

Boyd Stokes