

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 80455

This is to certify that: C LYNN THOMAS AND
HEATHER THOMAS
PO BOX 215
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>
74-218A	WR/DECREED	6/1/1888	1.400 cfs	N/A	N/A	52.0	WITHINGTON CREEK

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>
74-218A	NO	YES	NO	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>
74-218A	74-218A	1.400 cfs	N/A	N/A	52.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		1.400 cfs	N/A	N/A	52.0		N/A	N/A	N/A	N/A

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 24th day of November, 2015.

for Camela L. Skaggs
Chief, Water Allocation Bureau

Transfer No. 80455

WATER RIGHT NO. 74-218A
As Modified by Transfer No. 80455

In accordance with the approval of Transfer No. 80455, Water Right No. 74-218A is now described as follows:

Right Holder: C LYNN THOMAS
 HEATHER THOMAS
 PO BOX 215
 SALMON, ID 83467

Priority Date: 6/1/1888

Source: WITHINGTON CREEK

Tributary: LEMHI RIVER

BENEFICIAL USE

IRRIGATION

From

03/15

To

to 11/15

Diversion Rate

1.400 cfs

1.400 cfs

LOCATION OF POINT(S) OF DIVERSION

WITHINGTON CREEK	NENW	Sec 16 Twp 20N Rge 23E	LEMHI County
WITHINGTON CREEK	SESW	Sec 16 Twp 20N Rge 23E	LEMHI County
WITHINGTON CREEK	NESW	Sec 16 Twp 20N Rge 23E	LEMHI County
WITHINGTON CREEK	NESW	Sec 16 Twp 20N 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	
20N	23E	9															24.0		24.0
20N	23E	16		22.0			6.0												28.0

POU Total Acres: 52.0

CONDITIONS OF APPROVAL

1. 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. At the time of this approval, this water right is within State Water District No. 74-J.
2. 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).
3. 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.
4. 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 place of use.

Transfer No. 80455

WATER RIGHT NO. 74-218A
As Modified by Transfer No. 80455

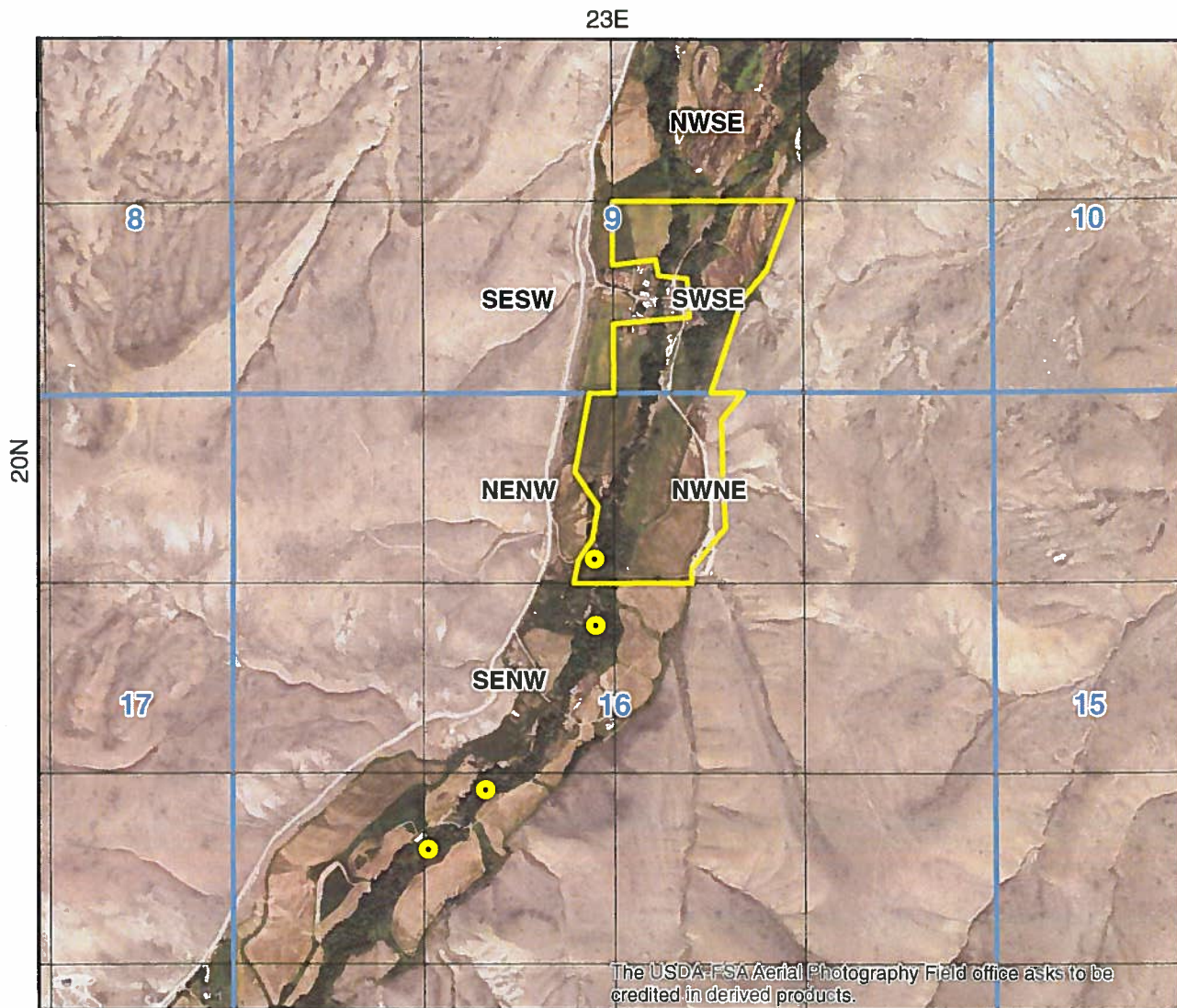
CONDITIONS OF APPROVAL

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.



State of Idaho
Department of Water Resources
Attachment to Transfer 80455
74-218A

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 0.15 0.3 0.6 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 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

November 25, 2015

C LYNN THOMAS
HEATHER THOMAS
PO BOX 215
SALMON ID 83467

Re: Transfer No: 80455
Water Right No(s): 74-218A
Transfer Approval Notice

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee.

Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208)287-4800.

Sincerely,

A handwritten signature in blue ink that reads "Pamela S Skaggs". The signature is written in a cursive style with a large initial "P" and a long, flowing "S".

Pamela S Skaggs
Water Rights Supervisor

Enclosure

c: WATER DISTRICT #74J

CERTIFICATE OF SERVICE

I hereby certify that on November 27, 2015 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

**Re: Transfer No.: 80455
Water Right No(s): 74-218A**

**C LYNN THOMAS
PO BOX 215
SALMON ID 83467**

**HEATHER THOMAS
PO BOX 215
SALMON ID 83467**

**WATER DISTRICT #74J
ROBBIE JENSEN
184 WITHINGOTN CREEK RD
SALMON ID 83467**



**Darla Block
Technical Records Specialist**

RECEIVED

NOV 19 2015

DEPARTMENT OF
WATER RESOURCES

State of Idaho
Department of Water Resources
Application for Permit

RECOMMENDATION FORM

Transfer No. 80455 (Water Right 74-218A)

Applicant's Name:
C LYNN THOMAS
HEATHER THOMAS
PO BOX 215
SALMON ID 83467

Watermaster's Recommendation:

- a) ☒ I do not oppose approval of this application.
- b) ☐ I do not oppose approval of this application if it is conditioned as follows:
- c) ☐ I oppose approval of this application for the following reasons:
- d) ☐ Additional comments:

Dated this 14th day of November, 2015

Water District No. 74J

Watermaster's Signature



RECEIVED

NOV 16 2015

DEPARTMENT OF
WATER RESOURCES

Affidavit of Publication

NOTICE OF PROPOSED CHANGE OF WATER RIGHT TRANSFER NO. 80455

C LYNN THOMAS and HEATHER THOMAS, PO BOX 215, SALMON, ID 83467; has filed Application No. 80455 for changes to the following water rights within LEMHI County(s): Right No(s). 74-218A; to see a full description of these rights and the proposed transfer please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers.aspx. The purpose of the transfer is to change a portion of the above rights as follows:

Transfer proposes to change two of four points of diversion to reflect current system. For additional information concerning the property location, contact IDWR State Office at (208) 287-4800; or for a full description of the transfer, please see <http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources/htm>. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222.

Any protest against the proposed changes must be filed with the Department of Water Resources, 322 E Front St, PO Box 83720, Boise, ID 83720-0098 together with a protest fee of \$25.00 for each application on or before 11/23/015. The protestant must also send a copy of the protest to the applicant.

Gary Spackman, Director 11-5-2tc

*2
gmk
11-16-15*

STATE OF IDAHO

County of Lemhi

ss.

RICKY G. HODGES being first duly sworn, deposes and says he is one of the publishers (printers) of The Recorder Herald, a newspaper published weekly at Salmon, Lemhi County, Idaho, and of general circulation therein. That the **NOTICE OF PROPOSED CHANGE, THOMAS**, a true printed copy of which is attached to the margin hereof, has been and was correctly printed and published in the regular and entire issue of every number of said newspaper and not in any supplement thereof or thereto for **TWO (2)** consecutive issue(s), commencing with the issue dated **11-5-2015** and ending with the issue dated **11-12-2015**.

STATE OF IDAHO

County of Lemhi

ss.

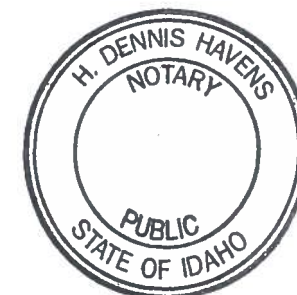
On this **12th day of November** in this year of 2015 before me, A Notary Public, personally appeared RICKY G. HODGES, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

[Signature]

Notary Public for Idaho

Residing At Salmon, Idaho

My Commission expires: 11-30-2018



Publication Fee \$77.40

Hersley, Jean

From: Bassista, Tom <thomas.bassista@idfg.idaho.gov>
Sent: Sunday, November 08, 2015 2:25 PM
To: Hersley, Jean
Subject: Transfer No 80278 and Application for Permit 75-14811

Dear Jean:

The Idaho Department of Fish and Game has reviewed Transfer No 80278 and Application for Permit 75-14811. We have no comments concerning these water development proposals.

Thank you for the opportunity to review the applications.

Tom Bassista
Environmental Staff Biologist

Idaho Department of Fish and Game-Upper Snake Region
4279 Commerce Circle
Idaho Falls, ID 83401
208.525.7290