

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 79668

This is to certify that: LYNN A HERBST
PO BOX 21
TENDON, ID 83468

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>
74-739	WR/DECREED	4/1/1873	1.330 cfs	N/A	N/A	44.3	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>
74-739	NO	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>
74-739	74-739	1.330 cfs	N/A	N/A	44.3	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		1.330 cfs	N/A	N/A	44.3		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 22nd day of December, 2014.


 for _____
 Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 74-139

Transfer No. 79668

WATER RIGHT NO. 74-739 **As Modified by Transfer No. 79668**

In accordance with the approval of Transfer No. 79668, Water Right No. 74-739 is now described as follows:

Right Holder: LYNN A HERBST
 PO BOX 21
 TENDOO, ID 83468
 OR
 ROBIN R HERBST
 PO BOX 21
 TENDOO, ID 83467

Priority Date: 4/1/1873

Source: LEMHI RIVER

Tributary: SALMON RIVER

BENEFICIAL USE
 IRRIGATION

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

Diversion Rate
 1.330 cfs
 1.330 cfs

LOCATION OF POINT(S) OF DIVERSION

LEMHI RIVER SWSE Sec 32 Twp 19N Rge 24E 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	
19N	24E	20									13.1				16.1				29.2
19N	24E	29					15.1												15.1

POU Total Acres: 44.3

CONDITIONS OF APPROVAL

1. Rights 74-250 and 74-739 when combined shall not exceed the irrigation of 44.3 acres.
2. 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.
3. 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).
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.
5. This right does not grant any right-of-way or easement across the land of another.

Transfer No. 79668

WATER RIGHT NO. 74-739
As Modified by Transfer No. 79668

CONDITIONS OF APPROVAL

6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. 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.

