

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 79269**

This is to certify that: **SCOTT M HAYES**
9417 N WINTERWOOD LN
BOISE, ID 83714

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>
73-116	WR/DECREED	11/29/1907	1.400 cfs	N/A	N/A	97.2	PATTERSON CREEK
73-78	WR/DECREED	4/30/1904	2.100 cfs	N/A	N/A	97.2	PAHSIMEROI RIVER, PATTERSON CREEK

Purpose of Transfer (Changes Proposed)

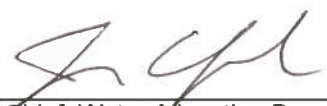
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
73-116	NO	YES	NO	NO	NO	NO
73-78	NO	YES	NO	NO	NO	NO

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>
73-116	73-116	1.400 cfs	N/A	N/A	97.2	N/A	N/A	N/A	N/A	N/A
73-78	73-78	2.100 cfs	N/A	N/A	97.2	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		3.500 cfs	N/A	N/A	97.2		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 20th day of May, 2014.


for Chief, Water Allocation Bureau

SUPPORT DATA

Transfer No. 79269

IN FILE # 73-78

WATER RIGHT NO. 73-78
As Modified by Transfer No. 79269

In accordance with the approval of Transfer No. 79269, Water Right No. 73-78 is now described as follows:

Right Holder: SCOTT M HAYES
9417 N WINTERWOOD LN
BOISE, ID 83714

Priority Date: 4/30/1904

Source: PATTERSON CREEK
Source: PAHSIMEROI RIVER

Tributary: PAHSIMEROI RIVER
Tributary: SALMON RIVER

BENEFICIAL USE
IRRIGATION

From 04/01 **To** 10/31

Diversion Rate
2.100 cfs
2.100 cfs

LOCATION OF POINT(S) OF DIVERSION

PATTERSON CREEK
PAHSIMEROI RIVER

NESESW
NESESW

Sec 1 Twp 14N Rge 21E CUSTER County
Sec 1 Twp 14N Rge 21E CUSTER 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	
15N	21E	27							33.0	5.2	22.0	37.0							97.2

POU Total Acres: 97.2

CONDITIONS OF APPROVAL

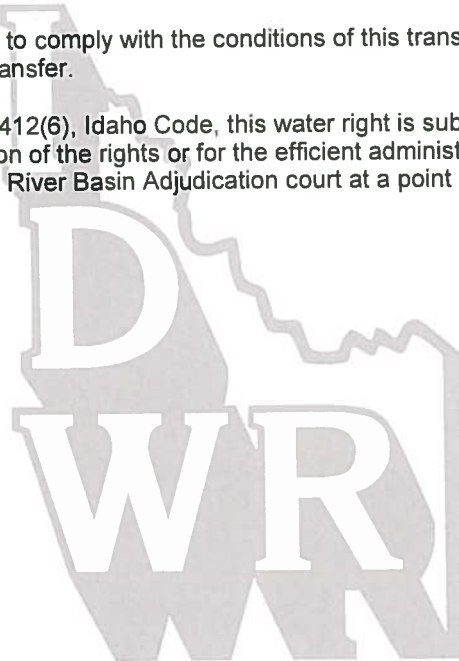
1. Rights 73-78 and 73-116 when combined shall not exceed the irrigation of 97.2 acres.
2. Rights 73-78, 73-79, 73-116 and 73-10028 when combined shall not exceed the irrigation of 324.2 acres.
3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 73.
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).
5. 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.
6. 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.

Transfer No. 79269

WATER RIGHT NO. 73-78
As Modified by Transfer No. 79269

CONDITIONS OF APPROVAL

7. Patterson Creek is locally known as Big Spring Creek.
8. This right does not grant any right-of-way or easement across the land of another.
9. The right holder shall accomplish the change authorized by this transfer within one 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. 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.



WATER RIGHT NO. 73-116

As Modified by Transfer No. 79269

In accordance with the approval of Transfer No. 79269, Water Right No. 73-116 is now described as follows:

Right Holder: SCOTT M HAYES
9417 N WINTERWOOD LN
BOISE, ID 83714

Priority Date: 11/29/1907

Source: PATTERSON CREEK

Tributary: PAHSIMEROI RIVER

BENEFICIAL USE
IRRIGATION

From 04/01 **To** 10/31

Diversion Rate
1.400 cfs
1.400 cfs

LOCATION OF POINT(S) OF DIVERSION

PATTERSON CREEK NESESW Sec 1 Twp 14N Rge 21E CUSTER 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	
15N	21E	27							33.0	5.2	22.0	37.0							97.2

POU Total Acres: 97.2

CONDITIONS OF APPROVAL

1. Rights 73-78 and 73-116 when combined shall not exceed the irrigation of 97.2 acres.
2. Rights 73-78, 73-79, 73-116 and 73-10028 when combined shall not exceed the irrigation of 324.2 acres.
3. Diversion of water from the Pahsimeroi River is limited to those times water is available for diversion under this right and priority from Patterson Creek at the original point of diversion and to the amount of water that actually reaches the Pahsimeroi River.
4. 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. 73.
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 watermaster suitable control of the diversion(s).
6. 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. 79269

WATER RIGHT NO. 73-116
As Modified by Transfer No. 79269

CONDITIONS OF APPROVAL

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. Patterson Creek is locally known as Big Spring Creek.
9. This right does not grant any right-of-way or easement across the land of another.
10. The right holder shall accomplish the change authorized by this transfer within one 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. 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.

