

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 79036**

This is to certify that: **MARGUERITE J WALKER AND
MICHAEL P WALKER
93 DC BAR RD
LEADORE, ID 83464**

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>
74-279B	WR/DECREED	5/30/1881	2.700 cfs	N/A	N/A	209.0	MILL CREEK
74-406B	WR/DECREED	5/1/1886	2.230 cfs	N/A	N/A	208.0	MILL CREEK
74-407B	WR/DECREED	8/15/1900	N/A	140.0 af	N/A	208.0	MILL 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>
74-279B	NO	YES	NO	NO	NO	NO
74-406B	NO	YES	NO	NO	NO	NO
74-407B	NO	YES	NO	YES	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>
74-279B	74-279B	2.700 cfs	N/A	N/A	209.0	N/A	N/A	N/A	N/A	N/A
74-406B	74-406B	2.230 cfs	N/A	N/A	208.0	N/A	N/A	N/A	N/A	N/A
74-407B	74-407B	0.000 cfs	140.0 af	N/A	208.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		4.930 cfs	N/A	208.4	209.0		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 13th day of January, 2014.


Water Resource Program Manager

SUPPORT DATA

Transfer No. 79036

IN FILE # 74-279B

WATER RIGHT NO. 74-279B

As Modified by Transfer No. 79036

In accordance with the approval of Transfer No. 79036, Water Right No. 74-279B is now described as follows:

Right Holder: MICHAEL P WALKER
MARGUERITE J WALKER
93 DC BAR RD
LEADORE, ID 83464

Priority Date: 5/30/1881

Source: MILL CREEK

Tributary: LEMHI RIVER

BENEFICIAL USE
IRRIGATION

From
3/15

To
to 11/15

Diversion Rate
2.700 cfs
2.700 cfs

LOCATION OF POINT(S) OF DIVERSION

MILL CREEK NENW Sec 22 Twp 16N 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	
17N	24E	34			7.0	12.0				8.0	40.0		38.0	39.0	19.0	33.0	11.0	2.0	209.0

POU Total Acres: 209.0

CONDITIONS OF APPROVAL

1. Rights 74-279B, 74-406B and 74-407B when combined shall not exceed the irrigation of 208.4 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. 74Q.
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 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
5. 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. 79036

WATER RIGHT NO. 74-279B
As Modified by Transfer No. 79036

CONDITIONS OF APPROVAL

6. This right does not grant any right-of-way or easement across the land of another.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. 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. 74-406B

As Modified by Transfer No. 79036

In accordance with the approval of Transfer No. 79036, Water Right No. 74-406B is now described as follows:

Right Holder: MARGUERITE J WALKER
MICHAEL P WALKER
93 DC BAR RD
LEADORE, ID 83464

Priority Date: 5/1/1886

Source: MILL CREEK

Tributary: LEMHI RIVER

BENEFICIAL USE
IRRIGATION

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

Diversion Rate
2.230 cfs
2.230 cfs

LOCATION OF POINT(S) OF DIVERSION

MILL CREEK NENW Sec 22 Twp 16N 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	
17N	24E	34			7.0	12.0				8.0	40.0		38.0	39.0	19.0	33.0	10.0	2.0	208.0

POU Total Acres: 208.0

CONDITIONS OF APPROVAL

1. Rights 74-279B, 74-406B and 74-407B when combined shall not exceed the irrigation of 208.4 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. 74Q.
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 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the place of use.
5. 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. 79036

WATER RIGHT NO. 74-406B
As Modified by Transfer No. 79036

CONDITIONS OF APPROVAL

6. This right does not grant any right-of-way or easement across the land of another.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. 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. 74-407B**As Modified by Transfer No. 79036**

In accordance with the approval of Transfer No. 79036, Water Right No. 74-407B is now described as follows:

Right Holder: MARGUERITE J WALKER
MICHAEL P WALKER
93 DC BAR RD
LEADORE, ID 83464

Priority Date: 8/15/1900

Source: MILL CREEK

Tributary: LEMHI RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION FROM STORAGE	3/15	to 11/15		140.0 af
IRRIGATION STORAGE	1/01	to 12/31		140.0 af
				140.0 af

LOCATION OF POINT(S) OF DIVERSION

MILL CREEK	NWSW	Sec 6 Twp 15N Rge 24E	LEMHI County	
MILL CREEK	NWSW	Sec 6 Twp 15N Rge 24E	LEMHI County	(I)
MILL CREEK	NENW	Sec 22 Twp 16N Rge 24E	LEMHI County	(R)

PLACE OF USE: IRRIGATION FROM STORAGE

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
17N	24E	34			7.0	12.0				8.0	40.0		38.0	39.0	19.0	33.0	10.0	2.0	208.0

POU Total Acres: 208.0

CONDITIONS OF APPROVAL

1. Rights 74-279B, 74-406B and 74-407B when combined shall not exceed the irrigation of 208.4 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. 74Q.
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.

Transfer No. 79036

WATER RIGHT NO. 74-407B
As Modified by Transfer No. 79036

CONDITIONS OF APPROVAL

5. 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.
6. This right does not grant any right-of-way or easement across the land of another.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. 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.