

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 78364

This is to certify that: CLEN ATCHLEY AND
EMMAATCHLEY
4054 E 1300 N
ASHTON, ID 83420

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>
21-7406	WR/LICENSE	1/4/1989	1.990 cfs	714.0 af	N/A	204.0	FALL 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>
21-7406	YES	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>
21-7406	21-13180	1.720 cfs	616.0 af	N/A	176.0	21-7406	0.270 cfs	98.0 af	N/A	28.0
COMBINED TOTALS		1.720 cfs	616.0 af	N/A	176.0		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 8th day of December, 2013.


Water Resources Program Manager

SUPPORT DATA

Transfer No. 78364

IN FILE # 21-7406

WATER RIGHT NO. 21-7406
As Modified by Transfer No. 78364

In accordance with the approval of Transfer No. 78364, Water Right No. 21-7406 is now described as follows:

Right Holder: RUSSELL O BAUM
 PO BOX 569
 ASHTON, ID 83420

Priority Date: 1/4/1989

Source: FALL RIVER

Tributary: HENRYS FORK

BENEFICIAL USE

IRRIGATION

From

04/01

To

to 10/31

Diversion Rate

0.270 cfs

0.270 cfs

Diversion Volume

98.0 af

98.0 af

LOCATION OF POINT(S) OF DIVERSION

FALL RIVER

NESW

Sec 36 Twp 09N Rge 43E FREMONT 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	
09N	43E	36									10.0	15.0				3.0			28.0

POU Total Acres: 28.0

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. 01.
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. 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.
4. Right 21-02151 is also diverted through the point of diversion described above.
5. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.

Transfer No. 78364

WATER RIGHT NO. 21-13180
As Modified by Transfer No. 78364

In accordance with the approval of Transfer No. 78364, Water Right No. 21-13180 is now described as follows:

Right Holder: CLEN ATCHLEY
 EMMAATCHLEY
 4054 E 1300 N
 ASHTON, ID 83420

Priority Date: 1/4/1989

Source: FALL RIVER

Tributary: HENRYS FORK

BENEFICIAL USE

IRRIGATION

From

04/01

To

to 10/31

Diversion Rate

1.720 cfs

1.720 cfs

Diversion Volume

616.0 af

616.0 af

LOCATION OF POINT(S) OF DIVERSION

FALL RIVER

NWSW

Sec 36 Twp 09N Rge 43E FREMONT 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	
08N	43E	1	44.0	44.0			44.0	44.0											176.0
			L 1	L 2			L 3	L 4											

POU Total Acres: 176.0

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. 01.
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. 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.
4. This right does not grant any right-of-way or easement across the land of another.
5. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Transfer No. 78364

WATER RIGHT NO. 21-13180

As Modified by Transfer No. 78364

CONDITIONS OF 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.