

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 78559**

This is to certify that: CHERYLL TURNER AND
DANNY TURNER
1656 HWY 46
GOODING, ID 83330
AND
CLARELYN ELGAN
4785 N 1115 E
BUHL, ID 83316
AND
DOUGLAS L ELGAN
4785 N 1115 E
BUHL, ID 83316

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>
72-4159A	WR/DECREED	6/18/1888	0.360 cfs	N/A	N/A	7.0	THOMPSON CREEK
72-4159D	WR/DECREED	6/18/1888	0.400 cfs	N/A	N/A	15.4	THOMPSON 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>
72-4159A	NO	YES	NO	NO	NO	NO
72-4159D	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>
72-4159A	72-4159A	0.360 cfs	N/A	N/A	7.0	N/A	N/A	N/A	N/A	N/A
72-4159D	72-4159D	0.400 cfs	N/A	N/A	15.4	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		0.760 cfs	N/A	N/A	22.4		N/A	N/A	N/A	N/A

SUPPORT DATA

IN FILE # 72-4159A

Transfer No. 78559

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
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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 6th day of August, 2013.



Southern Region Manager



WATER RIGHT NO. 72-4159D
As Modified by Transfer No. 78559

In accordance with the approval of Transfer No. 78559, Water Right No. 72-4159D is now described as follows:

Right Holder: DANNY TURNER AND
 CHERYLL TURNER
 1656 HWY 46
 GOODING, ID 83330

Priority Date: 6/18/1888

Source: THOMPSON CREEK **Tributary:** SALMON RIVER

BENEFICIAL USE **From** **To** **Diversion Rate**
 IRRIGATION 4/01 to 10/31 0.400 cfs
 0.400 cfs

LOCATION OF POINT(S) OF DIVERSION

THOMPSON CREEK L5 (NESE) Sec 25 Twp 11N Rge 16E 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	
11N	16E	25													7.0			0.3	7.3
11N	17E	30										7.7	0.4					L 5	8.1
												L 6	L 6						

POU Total Acres: 15.4

CONDITIONS OF APPROVAL

1. This right shall provide no more than 0.02 cfs per acre at the field headgate for irrigation of the lands in the place of use whenever sprinkler methods of irrigation are used.
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. 72D.
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. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.

Transfer No. 78559

WATER RIGHT NO. 72-4159D
As Modified by Transfer No. 78559

CONDITIONS OF APPROVAL

5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. 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. 72-4159A
As Modified by Transfer No. 78559

In accordance with the approval of Transfer No. 78559, Water Right No. 72-4159A is now described as follows:

Right Holder: DOUGLAS L ELGAN
 4785 N 1115 E
 BUHL, ID 83316
 AND
 CLARELYN ELGAN
 4787 N 1115 E
 BUHL, ID 83316

Priority Date: 6/18/1888

Source: THOMPSON CREEK

Tributary: SALMON RIVER

BENEFICIAL USE
 IRRIGATION

From
 4/01

To
 to 10/31

Diversion Rate
 0.360 cfs
 0.360 cfs

LOCATION OF POINT(S) OF DIVERSION

THOMPSON CREEK L5 (NESE) Sec 25 Twp 11N Rge 16E 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	
11N	17E	30										7.0							7.0
												L 6							

POU Total Acres: 7.0

CONDITIONS OF APPROVAL

1. This right does not grant any right-of-way or easement across the land of another.
2. This right shall provide no more than 0.02 cfs per acre at the field headgate for irrigation of the lands in the place of use whenever sprinkler methods of irrigation are used.
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. 72D.
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).

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WATER RIGHT NO. 72-4159A
As Modified by Transfer No. 78559

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.

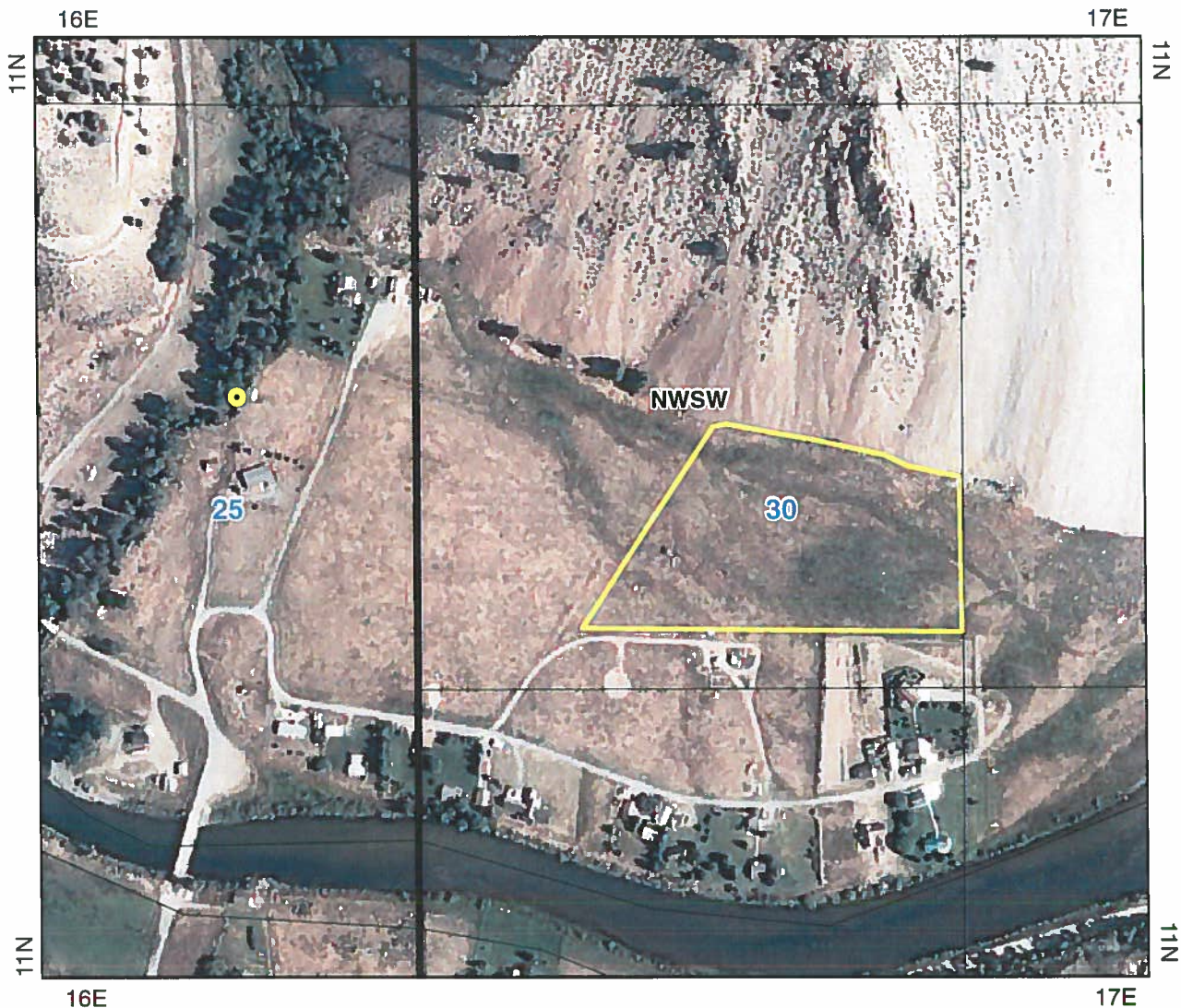


State of Idaho
Department of Water Resources

Attachment To Transfer No. 78559

Right: 72-4159a

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
-  Quarter Quarters

0 0.0475 0.095 0.19 Miles

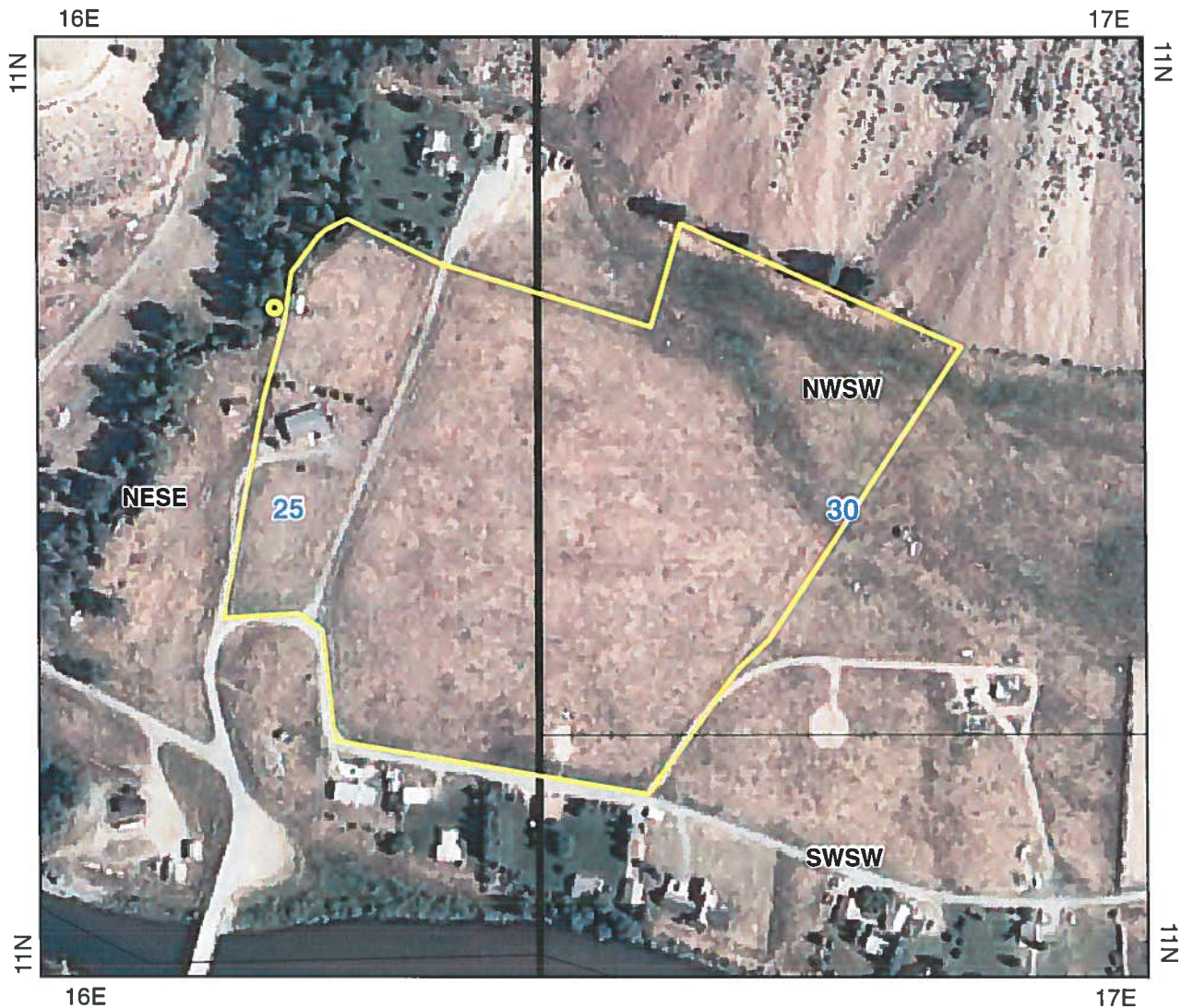


State of Idaho
Department of Water Resources

Attachment To Transfer No. 78559

Right: 72-4159d

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
-  Quarter Quarters

0 0.0325 0.065 0.13 Miles

