

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 77689

This is to certify that: ROBERT WHITWORTH
HC 62 BOX 2290
MAY ID 83253
(208)876-4267

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 Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
73-2A	WR/Decreed	05/01/1884	6.8 cfs	N/A	N/A	256.0	SULPHUR CREEK
73-190	WR/Decreed	05/01/1900	3.0 cfs	N/A	N/A	151.0	PAHSIMEROI RIVER

Purpose of Transfer (Changes Proposed)

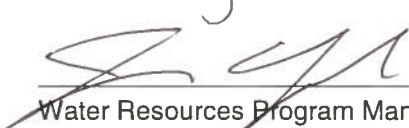
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
73-2A	NO	YES	YES	NO	NO	NO
73-190	NO	NO	YES	NO	NO	NO

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>
73-2A	73-2A	6.8 cfs	N/A	256.0	336.0		N/A	N/A	N/A	N/A
73-190	73-190	3.0 cfs	N/A	151.0	336.0		N/A	N/A	N/A	N/A
COMBINED TOTALS		9.8 cfs	N/A	336.0	336.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 9th day of February, 2012


Water Resources Program Manager

SUPPORT DATA

IN FILE # 73-2A

Right Holder: ROBERT WHITWORTH
HC 62 BOX 2290
MAY ID 83253

Tributary: PAHSIMEROI RIVER

LOCATION OF POINT(S) OF DIVERSION:
SULPHUR CREEK SESW Sec. 13 Twp 14N Rge 21E CUSTER County

[illegible][illegible]

WATER RIGHT NO. 73-2A
As Modified by Transfer No. 77689

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 256 acres within the authorized place of use in a single irrigation season.
2. Rights 73-2A and 73-190 when combined shall not exceed the irrigation of 336 acres.
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 diversions.
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. 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.
6. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
7. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
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.

This water right 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.

Dated this 9th day of February, 2012



Water Resources Program Manager

WATER RIGHT NO. 73-190
As Modified by Transfer No. 77689

In accordance with the approval of Transfer No. 77689, Water Right No. 73-190 is now described as follows.

Right Holder: ROBERT WHITWORTH
HC 62 BOX 2290
MAY ID 83253

Priority Date: May 01, 1900

Source: PAHSIMEROI RIVER

Tributary: SALMON RIVER

BENEFICIAL USE

IRRIGATION

From

04/01 to 10/31

To

Diversion Rate

3.00 CFS

LOCATION OF POINT(S) OF DIVERSION:

PAHSIMEROI RIVER SWNENW Sec. 17 Twp 14N Rge 22E CUSTER County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14N	21E	12													26.0	39.0	40.0	27.0	132.0
14N	22E	7									32.1	34.2	40.0	40.0		14.1	35.6		196.0
14N	22E	18			8.0														8.0

Total Acres: 336

WATER RIGHT NO. 73-190
As Modified by Transfer No. 77689

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 151 acres within the authorized place of use in a single irrigation season.
2. Rights 73-2A and 73-190 when combined shall not exceed the irrigation of 336 acres.
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.
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. 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.
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.

This water right 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.

Dated this 9th day of February, 2012


Water Resources Program Manager