

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 72799

This is to certify that: JUDD A WHITWORTH
 PO BOX 126
 ELLIS ID 83253
 (208)940-0456

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>
73-146	WR/Decreed	05/25/1887	6.0 cfs	N/A	304.0	374.1	PAHSIMEROI RIVER

Purpose of Transfer (Changes Proposed)

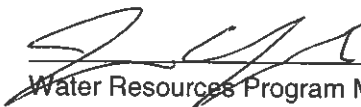
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
73-146	NO	NO	NO	YES	NO	NO

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>
73-146	73-146	6.0 cfs	N/A	304.0	374.1		N/A	N/A	N/A	N/A
COMBINED TOTALS		6.0 cfs	N/A	304.0	374.1		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 20th day of October, 2010


 Water Resources Program Manager

SUPPORT DATA

IN FILE # 73-146

WATER RIGHT NO. 73-146
As Modified by Transfer No. 72799

In accordance with the approval of Transfer No. 72799, Water Right No. 73-146 is now described as follows.

Right Holder: JUDD A WHITWORTH
 2604 PAHSIMEROI RD
 MAY ID 83253-2011

Priority Date: May 25, 1887

Source: PAHSIMEROI RIVER

Tributary: SALMON RIVER

BENEFICIAL USE

IRRIGATION

From

04/01 to 10/31

To

Diversion Rate

6.00 CFS

LOCATION OF POINT(S) OF DIVERSION:

PAHSIMEROI RIVER (Rediversion)	L7 (SWSW)	Sec. 5 Twp 12N Rge 24E CUSTER County
PAHSIMEROI RIVER (Rediversion)	SESW	Sec. 5 Twp 12N Rge 24E CUSTER County
PAHSIMEROI RIVER (Rediversion)	SESENW	Sec. 8 Twp 12N Rge 24E CUSTER County
PAHSIMEROI RIVER (Injection)	SWNW	Sec. 16 Twp 12N Rge 24E CUSTER County
PAHSIMEROI RIVER	SWNW	Sec. 32 Twp 12N Rge 24E 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	
12N 24E 5							37.0 L 5				37.0 L 6						74.0
12N 24E 6		26.0 L 2	38.0	40.0	6.2 L 3			15.0	20.0				38.0	37.0			220.2
13N 24E 31									17.0					31.0	2.9	29.0	79.9

Total Acres: 374.1

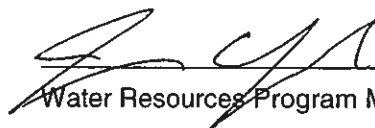
WATER RIGHT NO. 73-146
As Modified by Transfer No. 72799

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 304 acres within the place of use described above in a single irrigation season.
2. Rights 73-145, 73-146 and 73-191 when combined shall not exceed the irrigation of 374.1 acres.
3. When the upper point of rediversion on Goldburg Creek located at 12N 24E Sec. 8 SESENW is diverting water, the lower points of rediversion on Goldburg Creek located at 12N 24E Sec. 5 SESW and SWSW are limited to a diversion rate under this water right of 3.0 cfs.
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. This right does not grant any right-of-way or easement across the land of another.
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 lands above.
7. Point of injection into and points of rediversion from Goldburg Creek.
8. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. The right holder shall maintain measuring devices and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversions, including the point of injection and points of rediversion.
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 20th day of October, 20 10


Water Resources Program Manager