

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 76341

This is to certify that: MC FARLAND LIVESTOCK CO INC

C/O TEX J KAUER
PO BOX 50
LEMHI ID 83465
(208)768-2711

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>
74-1562	WR/Decreed	04/01/1936	4.06 cfs	N/A	N/A	122.0	LEMHI RIVER, LITTLE SPRING CREEK

Purpose of Transfer (Changes Proposed)

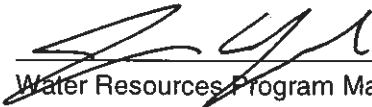
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
74-1562	NO	YES	YES	NO	NO	NO

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>
74-1562	74-1562	4.06 cfs	N/A	121.5	122.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		4.06 cfs	N/A	121.5	122.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 14th day of April, 2010


Water Resources Program Manager

SUPPORT DATA

IN FILE # 74-1562

WATER RIGHT NO. 74-1562
As Modified by Transfer No. 76341

In accordance with the approval of Transfer No. 76341, Water Right No. 74-1562 is now described as follows.

Right Holder: MC FARLAND LIVESTOCK CO INC
 C/O TEX J KAUER
 PO BOX 50
 LEMHI ID 83465

Priority Date: April 01, 1936

Source: LEMHI RIVER

Tributary: SALMON RIVER

BENEFICIAL USE

IRRIGATION

From **To** **Diversion Rate**
 03/15 to 11/15 4.06 CFS

LOCATION OF POINT(S) OF DIVERSION:

LEMHI RIVER SWNWNW Sec. 24 Twp 17N Rge 24E LEMHI County

PLACE OF USE:

			IRRIGATION																
Twp	Rge	Sec	NE				NW				SW				SE				Totals
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
17N	24E	14							1.0		3.9	36.5	29.1	30.0			14.0		114.5
17N	24E	15													7.5				7.5

Total Acres: 122

CONDITIONS OF APPROVAL

1. This right authorizes the irrigation of 121.5 total acres.
2. Rights 74-1556 and 74-1562 when combined shall not exceed the irrigation of 284.9 acres.
3. The diversion and use of water as authorized in Transfer 76341 is subject to the water right holder's offer to withdraw Snake River Basin Adjudication claim 74-15583. Failure of the right holder to withdraw claim 74-15583 prior to diverting water pursuant to this transfer approval is cause for the Director to rescind approval of the transfer.
4. Diversion of Lemhi River at L-46A is limited to those times water is available for diversion under this right and priority from the original point of diversion L-52, in T17N, R25E, section 33 NESW.
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. 74.
6. 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).
7. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.

WATER RIGHT NO. 74-1562
As Modified by Transfer No. 76341

CONDITIONS OF 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. 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.
10. 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.
11. Place of use does not include federal public lands.
12. Water is delivered through L-46A.
13. 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.
14. This right does not grant any right-of-way or easement across the land of another.

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 14th day of April, 2010


Water Resources Program Manager