

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 76336

This is to certify that: **GEORGE MILLER**
 50 P MILLER RD
 MAY ID 83253
 (208)833-4280

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>
73-4092	WR/Decreed	05/01/1913	2.59 cfs	N/A	129.7	486.9	PATTERSON CREEK
73-214	WR/Decreed	06/01/1901	0.8 cfs	N/A	40.0	486.9	PATTERSON CREEK
73-216	WR/Decreed	08/01/1902	0.8 cfs	N/A	40.0	486.9	PATTERSON CREEK
73-10086	WR/Decreed	02/22/1888	5.6 cfs	N/A	280.0	486.9	PATTERSON CREEK
73-12044	WR/Decreed	04/01/1940	5.2 cfs	N/A	N/A	486.9	PATTERSON 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>
73-4092	NO	NO	YES	NO	NO	NO
73-214	NO	NO	YES	NO	NO	NO
73-216	NO	NO	YES	NO	NO	NO
73-10086	NO	NO	YES	NO	NO	NO
73-12044	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>
73-4092	73-4092	2.59 cfs	N/A	129.7	486.9		N/A	N/A	N/A	N/A
73-214	73-214	0.8 cfs	N/A	40.0	486.9		N/A	N/A	N/A	N/A
73-216	73-216	0.8 cfs	N/A	40.0	486.9		N/A	N/A	N/A	N/A
73-10086	73-10086	5.6 cfs	N/A	280.0	486.9		N/A	N/A	N/A	N/A
73-12044	73-12044	5.2 cfs	N/A	N/A	486.9		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		14.99 cfs	N/A	486.9	486.9		N/A	N/A	N/A	N/A

SUPPORT DATA

IN FILE # 73-214

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 76336

Detailed Water Right Description(s) attached

Dated this 5th day of April, 20 10



Water Resources Program Manager



WATER RIGHT NO. 73-214
As Modified by Transfer No. 76336

In accordance with the approval of Transfer No. 76336, Water Right No. 73-214 is now described as follows.

Right Holder: GEORGE MILLER
 50 P MILLER RD
 MAY ID 83253

Priority Date: June 01, 1901

Source: PATTERSON CREEK

Tributary: PAHSIMEROI RIVER

BENEFICIAL USE

IRRIGATION

From

04/01 to 10/31

To

10/31

Diversion Rate

0.80 CFS

LOCATION OF POINT(S) OF DIVERSION:

PATTERSON CREEK

NENENE

Sec. 27 Twp 14N Rge 23E LEMHI 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	23E	26									1.3	1.3	35.0	35.0					72.6
14N	23E	34				31.0								25.0	30.0	33.0	35.0		154.0
14N	23E	35		1.3	31.0		36.0	35.0	33.0	31.0	30.0	33.0				30.0			260.3

Total Acres: 486.9

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 40.0 acres within the authorized place of use in a single irrigation season.
2. Rights 73-214, 73-216, 73-4092, 73-10086 and 73-12044 when combined shall not exceed the irrigation of 486.9 acres.
3. Rights 73-171, 73-214, 73-216, 73-2152, 73-4092, 73-10086 and 73-12044 when combined shall not exceed the irrigation of 518.9 acres.
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. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
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.

WATER RIGHT NO. 73-214
As Modified by Transfer No. 76336

CONDITIONS OF APPROVAL

7. This right does not grant any right-of-way or easement across the land of another.
8. The following rights are diverted through point(s) of diversion described above: 73-214, 73-216, 73-4092, 73-10086, 73-12044.
9. The right holder shall accomplish the change authorized by this transfer within one year(s) 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 5th day of April, 20 10


Water Resources Program Manager

WATER RIGHT NO. 73-216
As Modified by Transfer No. 76336

In accordance with the approval of Transfer No. 76336, Water Right No. 73-216 is now described as follows.

Right Holder: GEORGE MILLER
 50 P MILLER RD
 MAY ID 83253

Priority Date: August 01, 1902

Source: PATTERSON CREEK

Tributary: PAHSIMEROI RIVER

BENEFICIAL USE

IRRIGATION

From

04/01 to 10/31

To

Diversion Rate

0.80 CFS

LOCATION OF POINT(S) OF DIVERSION:

PATTERSON CREEK NENENE Sec. 27 Twp 14N Rge 23E LEMHI 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 23E 26									1.3	1.3	35.0	35.0					72.6
14N 23E 34				31.0								25.0	30.0	33.0	35.0		154.0
14N 23E 35		1.3	31.0		36.0	35.0	33.0	31.0	30.0	33.0				30.0			260.3

Total Acres: 486.9

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 40.0 acres within the authorized place of use in a single irrigation season.
2. Rights 73-214, 73-216, 73-4092, 73-10086 and 73-12044 when combined shall not exceed the irrigation of 486.9 acres.
3. Rights 73-171, 73-214, 73-216, 73-2152, 73-4092, 73-10086 and 73-12044 when combined shall not exceed the irrigation of 518.9 acres.
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. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
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.

WATER RIGHT NO. 73-216
As Modified by Transfer No. 76336

CONDITIONS OF APPROVAL

7. This right does not grant any right-of-way or easement across the land of another.
8. The following rights are diverted through point(s) of diversion described above: 73-214, 73-216, 73-4092, 73-10086, 73-12044.
9. The right holder shall accomplish the change authorized by this transfer within one year(s) 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 5th day of April, 20 10


Water Resources Program Manager

WATER RIGHT NO. 73-4092
As Modified by Transfer No. 76336

In accordance with the approval of Transfer No. 76336, Water Right No. 73-4092 is now described as follows.

Right Holder: GEORGE MILLER
 50 P MILLER RD
 MAY ID 83253

Priority Date: May 01, 1913

Source: PATTERSON CREEK

Tributary: PAHSIMEROI RIVER

BENEFICIAL USE

IRRIGATION

From

04/01 to 10/31

To

Diversion Rate

2.59 CFS

LOCATION OF POINT(S) OF DIVERSION:

PATTERSON CREEK NENE Sec. 27 Twp 14N Rge 23E LEMHI 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 23E 26									1.3	1.3	35.0	35.0					72.6
14N 23E 34				31.0								25.0	30.0	33.0	35.0		154.0
14N 23E 35		1.3	31.0		36.0	35.0	33.0	31.0	30.0	33.0				30.0			260.3

Total Acres: 486.9

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 129.7 acres within the authorized place of use in a single irrigation season.
2. Rights 73-214, 73-216, 73-4092, 73-10086 and 73-12044 when combined shall not exceed the irrigation of 486.9 acres.
3. Rights 73-171, 73-214, 73-216, 73-2152, 73-4092, 73-10086 and 73-12044 when combined shall not exceed the irrigation of 518.9 acres.
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. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
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. This right does not grant any right-of-way or easement across the land of another.

WATER RIGHT NO. 73-4092
As Modified by Transfer No. 76336

CONDITIONS OF APPROVAL

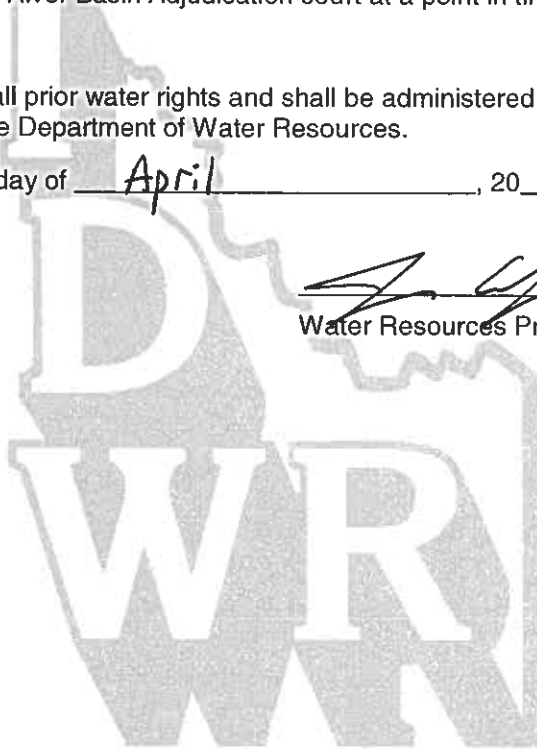
8. The following rights are diverted through point(s) of diversion described above: 73-214, 73-216, 73-4092, 73-10086, 73-12044.
9. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
10. Failure of the right holder to comply with 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 5th day of April, 20 10



Water Resources Program Manager



WATER RIGHT NO. 73-10086
As Modified by Transfer No. 76336

In accordance with the approval of Transfer No. 76336, Water Right No. 73-10086 is now described as follows.

Right Holder: GEORGE MILLER
 50 P MILLER RD
 MAY ID 83253

Priority Date: February 22, 1888

Source: PATTERSON CREEK **Tributary:** PAHSIMEROI RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
STOCKWATER	03/01	to 11/15	0.10 CFS
IRRIGATION	04/01	to 10/31	5.60 CFS

LOCATION OF POINT(S) OF DIVERSION:

PATTERSON CREEK NENENE Sec. 27 Twp 14N Rge 23E LEMHI 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 23E 26									1.3	1.3	35.0	35.0					72.6
14N 23E 34				31.0								25.0	30.0	33.0	35.0		154.0
14N 23E 35		1.3	31.0		36.0	35.0	33.0	31.0	30.0	33.0				30.0			260.3

Total Acres: 486.9

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE			
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
14N 23E 26									X	X	X	X				
14N 23E 34				X								X	X	X	X	
14N 23E 35		X	X		X	X	X	X	X	X				X		

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 280.0 acres within the authorized place of use in a single irrigation season.
2. Rights 73-214, 73-216, 73-4092, 73-10086 and 73-12044 when combined shall not exceed the irrigation of 486.9 acres.
3. Rights 73-171, 73-214, 73-216, 73-2152, 73-4092, 73-10086 and 73-12044 when combined shall not exceed the irrigation of 518.9 acres.

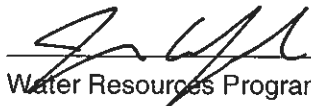
WATER RIGHT NO. 73-10086
As Modified by Transfer No. 76336

CONDITIONS OF APPROVAL

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. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
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. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
8. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
9. This right does not grant any right-of-way or easement across the land of another.
10. The following rights are diverted through point(s) of diversion described above: 73-214, 73-216, 73-4092, 73-10086, 73-12044.
11. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. 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 5th day of April, 20 10


Water Resources Program Manager

WATER RIGHT NO. 73-12044
As Modified by Transfer No. 76336

In accordance with the approval of Transfer No. 76336, Water Right No. 73-12044 is now described as follows.

Right Holder: GEORGE MILLER
 50 P MILLER RD
 MAY ID 83253

Priority Date: April 01, 1940

Source: PATTERSON CREEK

Tributary: PAHSIMEROI RIVER

BENEFICIAL USE

IRRIGATION

From

04/01 to 10/31

To

10/31

Diversion Rate

5.20 CFS

LOCATION OF POINT(S) OF DIVERSION:

PATTERSON CREEK

NENENE

Sec. 27 Twp 14N Rge 23E LEMHI 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 23E 26									1.3	1.3	35.0	35.0					72.6
14N 23E 34				31.0								25.0	30.0	33.0	35.0		154.0
14N 23E 35		1.3	31.0		36.0	35.0	33.0	31.0	30.0	33.0				30.0			260.3

Total Acres: 486.9

CONDITIONS OF APPROVAL

1. Rights 73-214, 73-216, 73-4092, 73-10086 and 73-12044 when combined shall not exceed the irrigation of 486.9 acres.
2. Rights 73-171, 73-214, 73-216, 73-2152, 73-4092, 73-10086 and 73-12044 when combined shall not exceed the irrigation of 518.9 acres.
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. 73.
4. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
5. 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.
6. This right does not grant any right-of-way or easement across the land of another.
7. The following rights are diverted through point(s) of diversion described above: 73-214, 73-216, 73-4092, 73-10086, 73-12044.

WATER RIGHT NO. 73-12044
As Modified by Transfer No. 76336

CONDITIONS OF APPROVAL

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. 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 5th day of April, 20 10



Water Resources Program Manager

