

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 74746

This is to certify that: DANIEL LEE TONSMEIRE
 129 N BAYSHORE DR
 EASTPOINT FL 32328
 (850)670-1456

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>
74-970B	WR/Decreed	04/01/1935	0.28 cfs	N/A	N/A	9.2	HAYDEN 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>
74-970B	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>
74-970B	74-970B	0.28 cfs	N/A	N/A	9.2		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		0.28 cfs	N/A	N/A	9.2		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 15th day of October, 2008



 Chief, Water Allocation Bureau

WATER RIGHT NO. 74-970B
As Modified by Transfer No. 74746

In accordance with the approval of Transfer No. 74746, Water Right No. 74-970B is now described as follows.

Right Holder: DANIEL LEE TONSMEIRE
 129 N BAYSHORE DR
 EASTPOINT FL 32328

Priority Date: April 01, 1935

Source: HAYDEN CREEK

Tributary: LEMHI RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/15 to	11/15	0.28 CFS
			0.28 CFS

LOCATION OF POINT(S) OF DIVERSION:

HAYDEN CREEK	NENW	Sec. 14 Twp 17N	Rge 23E	LEMHI County
HAYDEN CREEK	NWNW	Sec. 14 Twp 17N	Rge 23E	LEMHI County
HAYDEN CREEK	NESW	Sec. 14 Twp 17N	Rge 23E	LEMHI County
HAYDEN CREEK	NENE	Sec. 15 Twp 17N	Rge 23E	LEMHI County
HAYDEN CREEK	SWNE	Sec. 27 Twp 17N	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	
17N	23E	14			6.7				2.5										9.2

Total Acres: 9.2

CONDITIONS OF APPROVAL

- Property is also known as Lot 3, Block 2, Hayden Creek Acres Subdivision.
- 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.
- 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.
- 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).
- The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
- 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. 74-970B
As Modified by Transfer No. 74746

CONDITIONS OF APPROVAL

7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. 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 15th day of October, 20 08

Chief, Water Allocation Bureau