

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 74148

This is to certify that: RAYMOND V HERBST And
 RENEE HERBST
 38 LOVERS LANE
 SALMON ID 83467
 (208)756-8605

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>
75-34A	AJC/Decreed	04/01/1894	0.4 cfs	N/A	N/A	10.0	SALMON 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>
75-34A	NO	YES	NO	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>
75-34A	75-34A	0.4 cfs	N/A	N/A	10.0		N/A	N/A	N/A	N/A
COMBINED TOTALS		0.4 cfs	N/A	N/A	10.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 13th day of February, 20 08

 Chief, Water Allocation Bureau

WATER RIGHT NO. 75-34A
As Modified by Transfer No. 74148

In accordance with the approval of Transfer No. 74148, Water Right No. 75-34A is now described as follows.

Right Holder: RAYMOND V HERBST And
 RENEE HERBST
 38 LOVERS LANE
 SALMON ID 83467

Priority Date: April 01, 1894

Source: SALMON RIVER

Tributary: SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/01 to	10/31	0.40 CFS
			0.40 CFS

LOCATION OF POINT(S) OF DIVERSION:

SALMON RIVER L14 (SESE) Sec. 6 Twp 20N Rge 22E LEMHI County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
21N	22E	18	10.0				10.0

Total Acres: 10

CONDITIONS OF APPROVAL

1. Water is delivered through the Runsten Mintzer Ditch.
2. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
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. 75C.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. 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.
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).

WATER RIGHT NO. 75-34A
As Modified by Transfer No. 74148

CONDITIONS OF APPROVAL

7. 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.
8. This right does not grant any right-of-way or easement across the land of another.
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.

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 13th day of February, 20 08



Chief, Water Allocation Bureau