

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 74097

This is to certify that: JIMMIE L DOWTON And/Or
MARIA ELENA DOWTON
HC 62 BOX 2320
MAY ID 83253
(208)876-4264

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>
73-2170	AJC/License	02/10/1961	1.6 cfs	N/A	N/A	62.0	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>
73-2170	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>
73-2170	73-2170	1.6 cfs	N/A	N/A	62.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		1.6 cfs	N/A	N/A	62.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 21ST day of January, 20 08

Chief, Water Allocation Bureau

WATER RIGHT NO. 73-2170
As Modified by Transfer No. 74097

In accordance with the approval of Transfer No. 74097, Water Right No. 73-2170 is now described as follows.

Right Holder: JIMMIE L DOWTON And/Or
 MARIA ELENA DOWTON
 HC 62 BOX 2320
 MAY ID 83253

Priority Date: February 10, 1961

Source: PAHSIMEROI RIVER

Tributary: SALMON RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	04/01 to	10/31	1.60 CFS
			1.60 CFS

LOCATION OF POINT(S) OF DIVERSION:

PAHSIMEROI RIVER SENW Sec. 21 Twp 15N Rge 21E 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	
15N 21E 16									39.0			23.0					62.0

Total Acres: 62

CONDITIONS OF APPROVAL

1. Patterson Creek is locally known as Spring Creek.
2. 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.
3. 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).
4. 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.
5. 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.
6. This right does not grant any right-of-way or easement across the land of another.

WATER RIGHT NO. 73-2170
As Modified by Transfer No. 74097

CONDITIONS OF APPROVAL

7. Diversion of water from the Pahsimeroi River is limited to those times water is available for diversion under this right and priority from Peterson Springs at the original points of diversion in the NESWNW, S26, T15N, R21E, and to the amount of water that actually reaches the Pahsimeroi River.
8. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the department for measuring the flow in Peterson Springs at the original point of diversion, at the mouth of Patterson Creek where it discharges into the Pahsimeroi River and at the point of diversion from the Pahsimeroi River.
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 21ST day of January, 20 08



Chief, Water Allocation Bureau