

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 73477

This is to certify that: ROYDEN O CAPPS And/Or
MINA R CAPPS
BOX 45
LEMHI ID 83465
(208)756-6195

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>
74-1030	AJC/Decreed	04/01/1935	0.74 cfs	N/A	N/A	24.6	BASIN 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>
74-1030	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>
74-1030	74-1030	0.74 cfs	N/A	N/A	24.6		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		0.74 cfs	N/A	N/A	24.6		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 5th day of December, 2007

Chief, Water Allocation Bureau

WATER RIGHT NO. 74-1030
As Modified by Transfer No. 73477

In accordance with the approval of Transfer No. 73477, Water Right No. 74-1030 is now described as follows.

Right Holder: ROYDEN O CAPPS And/Or
MINA R CAPPS
BOX 45
LEMHI ID 83465

Priority Date: April 01, 1935

Source: BASIN CREEK

Tributary: HAYDEN CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	03/15	to 11/15	0.74 CFS
			0.74 CFS

LOCATION OF POINT(S) OF DIVERSION:

BASIN CREEK SENE Sec. 4 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 2		11.0	6.0		7.1			.5									24.6
		L 2			L 3												

Total Acres: 24.6

CONDITIONS OF APPROVAL

1. The irrigation place of use described above within the SWNE and SENW, Section 2, T17N, R23E is limited to privately owned lands located in the north half of each quarter-quarter.
2. Use of water under this right may in the future 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
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. 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.

WATER RIGHT NO. 74-1030
As Modified by Transfer No. 73477

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. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this 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. 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 December, 20 07



Chief, Water Allocation Bureau