

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 73682

This is to certify that: CHUCK R CHARLTON And/Or
 CLAUDIA F CHARLTON
 PO BOX 96
 ELLIS ID 83235
 (208)876-4419

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>
73-12047	AJC/Decreed	04/01/1912	0.35 cfs	N/A	N/A	6.6	DUCK SPRING, PATTERSON CREEK
73-12103	AJC/Decreed	04/01/1912	0.2 cfs	N/A	N/A	6.6	PAHSIMEROI RIVER
73-12104	AJC/Beneficial Use	02/18/1926	0.2 cfs	N/A	N/A	6.6	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>
73-12047	NO	YES	NO	NO	NO	NO
73-12103	NO	YES	NO	NO	NO	NO
73-12104	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>
73-12047	73-12047	0.35 cfs	N/A	N/A	6.6		N/A	N/A	N/A	N/A
73-12103	73-12103	0.2 cfs	N/A	N/A	6.6		N/A	N/A	N/A	N/A
73-12104	73-12104	0.2 cfs	N/A	N/A	6.6		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		0.75 cfs	N/A	6.6	6.6		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 22nd day of August, 20 07

SUPPORT DATA

IN FILE # 73-12047


 Administrator, Water Management Division

WATER RIGHT NO. 73-12047
As Modified by Transfer No. 73682

In accordance with the approval of Transfer No. 73682, Water Right No. 73-12047 is now described as follows.

Right Holder: CHUCK R CHARLTON And/Or
 CLAUDIA F CHARLTON
 PO BOX 96
 ELLIS ID 83235

Priority Date: April 01, 1912

Source: PAHSIMEROI RIVER

Tributary: SALMON RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to	10/31	0.35 CFS	
			0.35 CFS	

LOCATION OF POINT(S) OF DIVERSION:

PAHSIMEROI RIVER SESW Sec. 8 Twp 15N Rge 21E LEMHI County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
15N	21E	7	NE	NW	SW	SE	6.6

Total Acres: 6.6

CONDITIONS OF APPROVAL

1. Patterson Creek is also known as Spring Creek.
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. 73.
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).
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.

WATER RIGHT NO. 73-12047
As Modified by Transfer No. 73682

CONDITIONS OF APPROVAL

8. Rights 73-12047, 73-12103, and 73-12104 when combined shall not exceed the irrigation of 6.6 acres.
9. Diversion of water from the Pahsimeroi River is limited to those times water is available for diversion under this right and priority from Duck Spring at the original point of diversion in the SESW, S26, T15N, R21E, and to the amount of water that actually reaches the Pahsimeroi River and to those times water is available for diversion under this right and priority from Patterson Creek at the original point of diversion in the SWSE, S26, T15N, R21E, and to the amount of water that actually reaches the Pahsimeroi River.
10. 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 Duck Spring and Patterson Creek 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.
11. 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.
12. This right does not grant any right-of-way or easement across the land of another.
13. Water is delivered through P-7.

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 22nd day of August, 20 07


Administrator Water Management Division

**WATER RIGHT NO. 73-12103
As Modified by Transfer No. 73682**

In accordance with the approval of Transfer No. 73682, Water Right No. 73-12103 is now described as follows.

Right Holder: CHUCK R CHARLTON AND/OR
CLAUDIA F CHARLTON
PO BOX 96
ELLIS ID 83235

Priority Date: April 01, 1912

Source: PAHSIMEROI RIVER

Tributary: SALMON RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to	10/31	0.20 CFS	
			0.20 CFS	

LOCATION OF POINT(S) OF DIVERSION:

PAHSIMEROI RIVER SESW Sec. 8 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	7				6.6													6.6

Total Acres: 6.6

CONDITIONS OF 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.
- The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
- This right does not grant any right-of-way or easement across the land of another.
- Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- Rights 73-12047, 73-12103, and 73-12104 when combined shall not exceed the irrigation of 6.6 acres.
- 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).

WATER RIGHT NO. 73-12103
As Modified by Transfer No. 73682

CONDITIONS OF APPROVAL

8. 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.
9. 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.
10. Water is delivered through P-7.
11. Recommended as a portion of Right No. 73-73B.

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 22nd day of August, 20 07



Administrator, Water Management Division

WATER RIGHT NO. 73-12104
As Modified by Transfer No. 73682

In accordance with the approval of Transfer No. 73682, Water Right No. 73-12104 is now described as follows.

Right Holder: CHUCK R CHARLTON AND/OR
 CLAUDIA F CHARLTON
 PO BOX 96
 ELLIS ID 83235

Priority Date: February 18, 1926

Source: PAHSIMEROI RIVER

Tributary: SALMON RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to	10/31	0.20 CFS	
			0.20 CFS	

LOCATION OF POINT(S) OF DIVERSION:

PAHSIMEROI RIVER SESW Sec. 8 Twp 15N Rge 21E LEMHI County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
15N	21E	7	NE	NW	SW	SE	6.6

Total Acres: 6.6

CONDITIONS OF APPROVAL

1. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
2. This right is a split from former right 73-4026.
3. Rights 73-12047, 73-12103, and 73-12104 when combined shall not exceed the irrigation of 6.6 acres.
4. 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.
5. Water is delivered through P-7.
6. 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.
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.

WATER RIGHT NO. 73-12104
As Modified by Transfer No. 73682

CONDITIONS OF APPROVAL

8. 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).
9. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
10. 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.
11. 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 22nd day of August, 2007



Administrator, Water Management Division