

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 73940

This is to certify that: H TOD SHENTON
 573 MEDICINE LODGE RD
 DUBOIS ID 83423
 (208)374-5813

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>
32-1A	WR/Decreed	06/20/1883	0.64 cfs	N/A	N/A	155.0	MEDICINE LODGE CREEK
32-2A	WR/Decreed	10/01/1883	0.36 cfs	N/A	N/A	155.0	MEDICINE LODGE CREEK
32-3A	WR/Decreed	05/15/1884	1.5 cfs	N/A	N/A	155.0	MEDICINE LODGE CREEK
32-4A	WR/Decreed	04/15/1885	0.5 cfs	N/A	N/A	155.0	MEDICINE LODGE CREEK
32-5A	WR/Decreed	11/01/1885	0.5 cfs	N/A	N/A	155.0	MEDICINE LODGE 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>
32-1A	NO	NO	NO	YES	NO	NO
32-2A	NO	NO	NO	YES	NO	NO
32-3A	NO	NO	NO	YES	NO	NO
32-4A	NO	NO	NO	YES	NO	NO
32-5A	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>
32-1A	32-1A	0.64 cfs	N/A	N/A	155.0		N/A	N/A	N/A	N/A
32-2A	32-2A	0.36 cfs	N/A	N/A	155.0		N/A	N/A	N/A	N/A
32-3A	32-3A	1.50 cfs	N/A	N/A	155.0		N/A	N/A	N/A	N/A
32-4A	32-4A	0.50 cfs	N/A	N/A	155.0		N/A	N/A	N/A	N/A
32-5A	32-5A	0.50 cfs	N/A	N/A	155.0		N/A	N/A	N/A	N/A
COMBINED TOTALS		3.50 cfs	N/A	155.0	155.0		N/A	N/A	N/A	N/A

SUPPORT DATA
32-1 A
 IN FILE # _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 73940

Detailed Water Right Description(s) attached

Dated this 31st day of AUGUST, 2007



Administrator, Water Management Division

WATER RIGHT NO. 32-1A
As Modified by Transfer No. 73940

In accordance with the approval of Transfer No. 73940, Water Right No. 32-1A is now described as follows.

Right Holder: H TOD SHENTON And/Or
CAROLYN RHODES SHENTON
573 MEDICINE LODGE RD
DUBOIS ID 83423

Priority Date: June 20, 1883

Source: MEDICINE LODGE CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	0.64 CFS	
			0.64 CFS	

LOCATION OF POINT(S) OF DIVERSION:

MEDICINE LODGE CREEK	NENW	Sec. 25 Twp 11N	Rge 34E	CLARK County
MEDICINE LODGE CREEK	L1 (SENWNW)	Sec. 31 Twp 11N	Rge 35E	CLARK County
MEDICINE LODGE CREEK	L1 (SENWNW)	Sec. 31 Twp 11N	Rge 35E	CLARK 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	
11N	35E	31													40.0	37.0	38.0	40.0	155.0

Total Acres: 155

CONDITIONS OF APPROVAL

1. Water is delivered through Medicine Lodge 31NWNW-W and Medicine Lodge 31NWNW-E.
2. Rights 32-1A, 32-2A, 32-3A, 32-4A, 32-5A, 32-7081C when combined shall not exceed a total diversion rate of 3.50 cfs and the irrigation of 155 acres.
3. The total instantaneous diversion of water from the point of diversion located in NENW, Sec 25, T11N, R34E shall not exceed 2.0 cfs.
4. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
5. 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).
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

WATER RIGHT NO. 32-1A
As Modified by Transfer No. 73940

CONDITIONS OF APPROVAL

7. 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.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
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. 32C.
10. 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 3rd day of August, 20 07



Administrator, Water Management Division

WATER RIGHT NO. 32-2A
As Modified by Transfer No. 73940

In accordance with the approval of Transfer No. 73940, Water Right No. 32-2A is now described as follows.

Right Holder: H TOD SHENTON AND/OR
CAROLYN RHODES SHENTON
573 MEDICINE LODGE RD
DUBOIS ID 83423

Priority Date: October 01, 1883

Source: MEDICINE LODGE CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	0.36 CFS	
			0.36 CFS	

LOCATION OF POINT(S) OF DIVERSION:

MEDICINE LODGE CREEK NENW	Sec. 25 Twp 11N	Rge 34E	CLARK County
MEDICINE LODGE CREEK L1 (SENWNW)	Sec. 31 Twp 11N	Rge 35E	CLARK County
MEDICINE LODGE CREEK L1 (SENWNW)	Sec. 31 Twp 11N	Rge 35E	CLARK 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	
11N	35E	31													40.0	37.0	38.0	40.0	155.0

Total Acres: 155

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. Rights 32-1A, 32-2A, 32-3A, 32-4A, 32-5A, 32-7081C when combined shall not exceed a total diversion rate of 3.50 cfs and the irrigation of 155 acres.
3. The total instantaneous diversion of water from the point of diversion located in NENW, Sec 25, T11N, R34E shall not exceed 2.0 cfs.
4. 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. 32C.
5. 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).
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
7. This right does not grant any right-of-way or easement across the land of another.

WATER RIGHT NO. 32-2A
As Modified by Transfer No. 73940

CONDITIONS OF APPROVAL

8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Water is delivered through Medicine Lodge 31NWNW-W and Medicine Lodge 31NWNW-E.
10. 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 3rd day of August, 2007



Administrator, Water Management Division

WATER RIGHT NO. 32-3A
As Modified by Transfer No. 73940

In accordance with the approval of Transfer No. 73940, Water Right No. 32-3A is now described as follows.

Right Holder: H TOD SHENTON AND/OR
CAROLYN RHODES SHENTON
573 MEDICINE LODGE RD
DUBOIS ID 83423

Priority Date: May 15, 1884

Source: MEDICINE LODGE CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01 to	10/31	1.50 CFS	
			1.50 CFS	

LOCATION OF POINT(S) OF DIVERSION:

MEDICINE LODGE CREEK NENW	Sec. 25 Twp 11N	Rge 34E	CLARK County
MEDICINE LODGE CREEK L1 (SENWNW)	Sec. 31 Twp 11N	Rge 35E	CLARK County
MEDICINE LODGE CREEK L1 (SENWNW)	Sec. 31 Twp 11N	Rge 35E	CLARK County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE	NW	SW	SE	
11N 35E 31	NE NW SW SE	NE NW SW SE	NE NW SW SE	NE NW SW SE	Totals
	40.0 37.0 38.0 40.0				155.0

Total Acres: 155

CONDITIONS OF APPROVAL

1. This right does not grant any right-of-way or easement across the land of another.
2. 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).
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. Water is delivered through Medicine Lodge 31NWNW-W and Medicine Lodge 31NWNW-E.
5. 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. 32C.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. The total instantaneous diversion of water from the point of diversion located in NENW, Sec 25, T11N, R34E shall not exceed 2.0 cfs.

WATER RIGHT NO. 32-3A
As Modified by Transfer No. 73940

CONDITIONS OF APPROVAL

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.
9. Rights 32-1A, 32-2A, 32-3A, 32-4A, 32-5A, 32-7081C when combined shall not exceed a total diversion rate of 3.50 cfs and the irrigation of 155 acres.
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.

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 3rd day of August, 2007



Administrator, Water Management Division

WATER RIGHT NO. 32-4A
As Modified by Transfer No. 73940

In accordance with the approval of Transfer No. 73940, Water Right No. 32-4A is now described as follows.

Right Holder: H TOD SHENTON AND/OR
 CAROLYN RHODES SHENTON
 573 MEDICINE LODGE RD
 DUBOIS ID 83423

Priority Date: April 15, 1885

Source: MEDICINE LODGE CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	0.50 CFS	
			0.50 CFS	

LOCATION OF POINT(S) OF DIVERSION:

MEDICINE LODGE CREEK	NENW	Sec. 25 Twp 11N	Rge 34E	CLARK County
MEDICINE LODGE CREEK	L1 (SENWNW)	Sec. 31 Twp 11N	Rge 35E	CLARK County
MEDICINE LODGE CREEK	L1 (SENWNW)	Sec. 31 Twp 11N	Rge 35E	CLARK 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	
11N	35E	31													40.0	37.0	38.0	40.0	155.0

Total Acres: 155

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. Rights 32-1A, 32-2A, 32-3A, 32-4A, 32-5A, 32-7081C when combined shall not exceed a total diversion rate of 3.50 cfs and the irrigation of 155 acres.
3. Water is delivered through Medicine Lodge 31NWNW-W and Medicine Lodge 31NWNW-E.
4. 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. 32C.
5. The total instantaneous diversion of water from the point of diversion located in NENW, Sec 25, T11N, R34E shall not exceed 2.0 cfs.
6. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
7. This right does not grant any right-of-way or easement across the land of another.

WATER RIGHT NO. 32-4A
As Modified by Transfer No. 73940

CONDITIONS OF APPROVAL

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.
9. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
10. 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).

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 31st day of August, 2007



Administrator, Water Management Division

WATER RIGHT NO. 32-5A
As Modified by Transfer No. 73940

In accordance with the approval of Transfer No. 73940, Water Right No. 32-5A is now described as follows.

Right Holder: H TOD SHENTON AND/OR
 CAROLYN RHODES SHENTON
 573 MEDICINE LODGE RD
 DUBOIS ID 83423

Priority Date: November 01, 1885

Source: MEDICINE LODGE CREEK

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	0.50 CFS	
			0.50 CFS	

LOCATION OF POINT(S) OF DIVERSION:

MEDICINE LODGE CREEK	NENW	Sec. 25 Twp 11N	Rge 34E	CLARK County
MEDICINE LODGE CREEK	L1 (SENWNW)	Sec. 31 Twp 11N	Rge 35E	CLARK County
MEDICINE LODGE CREEK	L1 (SENWNW)	Sec. 31 Twp 11N	Rge 35E	CLARK County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE						
			NE	NW	SW	SE	NE	NW	SW	SE	Totals	
11N	35E	31										
			40.0	37.0	38.0	40.0						155.0

Total Acres: 155

CONDITIONS OF APPROVAL

1. Water is delivered through Medicine Lodge 31NWNW-W and Medicine Lodge 31NWNW-E.
2. Rights 32-1A, 32-2A, 32-3A, 32-4A, 32-5A, 32-7081C when combined shall not exceed a total diversion rate of 3.50 cfs and the irrigation of 155 acres.
3. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
5. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
6. The total instantaneous diversion of water from the point of diversion located in NENW, Sec 25, T11N, R34E shall not exceed 2.0 cfs.
7. This right does not grant any right-of-way or easement across the land of another.

WATER RIGHT NO. 32-5A
As Modified by Transfer No. 73940

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. 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.
10. 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. 32C.

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 31st day of August, 2007



Administrator, Water Management Division