

Easter AJ

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**TRANSFER OF WATER RIGHT**

TRANSFER NO. 5109  
WATER RIGHT NO. 74-00591

**RECEIVED**

**NOV 03 1997**

Department of Water Resources  
Eastern Region

This is to certify that: RUBY M NELSON  
CLYDE S NELSON  
RT 1  
SALMON ID 83467

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>DIVERSION RATE</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|-----------------------|----------------------|
| IRRIGATION            | 04/15 to 10/15       | 0.32 CFS              | 37.5 AF              |

| <u>SOURCE</u> | <u>TRIBUTARY OF</u> |
|---------------|---------------------|
| LEMHI RIVER   | SALMON RIVER        |

Priority: 04/01/1900

LOCATION OF POINT(S) OF DIVERSION: NESW , Sec. 10, Township 21N, Range 22E  
LEMHI County

PLACE OF USE: IRRIGATION

| <u>TWN</u>                       | <u>RGE</u> | <u>SEC</u> | <u>ACRES</u> | <u>ACRES</u> | <u>ACRES</u> | <u>TOTAL</u> |
|----------------------------------|------------|------------|--------------|--------------|--------------|--------------|
| 21N                              | 22E        | 4          | SWSW 4       | SESW 2       |              | 6            |
|                                  |            | 9          | NENW 3       | NWNW 1       |              | 4            |
| Total number of acres irrigated: |            |            |              |              |              | * 10         |

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 74.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by this Department in a manner that will provide the watermaster suitable control of the diversion.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
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.

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5. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
- \* 6. Right 74-00591 authorizes the irrigation of 10.7 total acres.
7. Approval of Transfer 5109 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
8. 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.

Dated this 30<sup>th</sup> day of October, 1997.

  
Chief, Water Allocation Bureau

MEMORANDUM

TO: FILE 74-00591

FROM: PAM SKAGGS *PS* / STATE OFFICE

SUBJECT: TRANSFER 5109

DATE: October 23, 1997

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Transfer 5109 is one of three transfers filed concurrently to consolidate Lemhi River diversions into a single new point of diversion, designated L-3. This transfer changes the point of diversion under Right 74-00591.

Transfer 5109 also changes, or more accurately, corrects the place of use description under this right from Range 23E to 22E. Under the decree, both Rights 74-00760 (Transfer 5110) and 74-00591 identify L-2B as the diversion point and have adjacent land parcels in Sections 4 and 9, in Township 21N, Range 22E. The applicant's are the sole claimaints to this right in the SRBA, the watermaster concurs with the transfer, and no one disputes that the change in place of use is a correction only; no physical change will occur.

Season of use and diversion volume were adjusted to current standards. Recommended conditions include measuring device & watermaster control, irrigation overlap, right-of-way, total acres and standard transfer conditions.