

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 86303**

This is to certify that: PEGGY PEHRSON AND
RANDY D PEHRSON
4445 BEVERLAND LN
MACKAY, ID 83251-4435

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 Changes

<u>Water Right</u>	<u>Origin/Basis</u>	<u>Priority Date</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
34-10238	WR/DECREED	6/1/1883	1.000 cfs	N/A	160.0	462.0	PASS CREEK
34-13570	WR/DECREED	5/1/1970	1.500 cfs	N/A	N/A	462.0	PASS CREEK
34-13571	WR/DECREED	5/1/1971	1.800 cfs	N/A	N/A	496.0	BIG LOST RIVER
34-13874	WR/DECREED	7/21/1886	1.000 cfs	N/A	50.0	496.0	BIG LOST RIVER
34-2407	WR/DECREED	3/27/1961	3.330 cfs	1071.0 af	N/A	306.0	GROUND WATER
34-550B	WR/DECREED	2/3/1903	2.500 cfs	N/A	125.0	462.0	PASS CREEK
34-551B	WR/DECREED	5/8/1907	1.500 cfs	N/A	75.0	462.0	PASS CREEK
34-7160	WR/DECREED	2/21/1981	1.920 cfs	546.0 af	N/A	156.0	GROUND WATER
34-727B	WR/DECREED	6/1/1883	0.800 cfs	120.0 af	40.0	496.0	PASS CREEK
34-733	WR/DECREED	7/21/1886	1.440 cfs	N/A	N/A	72.4	BIG LOST 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>
34-10238	NO	NO	YES	NO	NO	NO
34-13570	NO	NO	YES	NO	NO	NO
34-13571	NO	NO	YES	NO	NO	NO
34-13874	NO	NO	YES	NO	NO	NO
34-2407	NO	NO	YES	NO	NO	NO
34-550B	NO	NO	YES	NO	NO	NO
34-551B	NO	NO	YES	NO	NO	NO
34-7160	NO	NO	YES	NO	NO	NO
34-727B	NO	NO	YES	NO	NO	NO
34-733	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>
34-10238	34-10238	1.000 cfs	N/A	160.0	568.4	N/A	N/A	N/A	N/A	N/A
34-13570	34-13570	1.500 cfs	N/A	462.0	568.4	N/A	N/A	N/A	N/A	N/A
34-13571	34-13571	1.800 cfs	N/A	496.0	568.4	N/A	N/A	N/A	N/A	N/A
34-13874	34-13874	1.000 cfs	N/A	50.0	568.4	N/A	N/A	N/A	N/A	N/A

Transfer No. 86303

**Support Data
In File # 34-550B**

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 86303**

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>
34-2407	34-2407	3.330 cfs	1071.0 af	306.0	568.4	N/A	N/A	N/A	N/A	N/A
34-550B	34-550B	2.500 cfs	N/A	125.0	568.4	N/A	N/A	N/A	N/A	N/A
34-551B	34-551B	1.500 cfs	N/A	75.0	568.4	N/A	N/A	N/A	N/A	N/A
34-7160	34-7160	1.920 cfs	546.0 af	156.0	568.4	N/A	N/A	N/A	N/A	N/A
34-727B	34-727B	0.800 cfs	120.0 af	40.0	568.4	N/A	N/A	N/A	N/A	N/A
34-733	34-733	1.440 cfs	N/A	72.4	568.4	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		13.490 cfs	N/A	568.4	568.4		N/A	N/A	N/A	N/A

This water right(s) 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. Detailed Water Right Description(s) attached.

Dated this 23rd day of August, 2022.



Regional Manager

Transfer No. 86303

**Support Data
In File # 34-550B**

WATER RIGHT NO. 34-733
As Modified by Transfer No. 86303

In accordance with the approval of Transfer No. 86303, Water Right No. 34-733 is now described as follows:

Right Holder: RANDY D PEHRSON AND
 PEGGY PEHRSON
 4445 BEVERLAND LN
 MACKAY, ID 83251-4435

Priority Date: 7/21/1886

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE
 IRRIGATION

From 05/01 **To** 10/15

Diversion Rate
 1.440 cfs
 1.440 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER SENWNW Sec 34 Twp 07N Rge 24E CUSTER County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	25E	2		44.0	38.0		34.0		36.0	38.0	40.0			40.0		40.0	40.0		350.0
				L 2			L 3												
06N	25E	11		40.0	34.4		40.0			34.0					34.0	36.0			218.4

Right Acre Limit: 72.4
 POU Total Acres: 568.4

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 72.4 acres within the authorized place of use in a single irrigation season.
2. Rights 34-550B, 34-551B, 34-727B, 34-733, 34-2407, 34-7160, 34-10238, 34-13570, 34-13571 and 34-13874 when combined shall not exceed a total diversion rate of 13.49 cfs and the irrigation of 568.4 acres.
3. Use of water under this right may 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. 34.
4. 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).

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WATER RIGHT NO. 34-733
As Modified by Transfer No. 86303

CONDITIONS OF APPROVAL

5. 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 place of use.
6. The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the Director of the Idaho Department of Water Resources.
7. Water is delivered through Burnett Ditch.
8. This right does not grant any right-of-way or easement across the land of another.
9. The right holder shall accomplish the change authorized by this transfer within one year 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 Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 34-13874
As Modified by Transfer No. 86303

In accordance with the approval of Transfer No. 86303, Water Right No. 34-13874 is now described as follows:

Right Holder: RANDY D PEHRSON AND
 PEGGY PEHRSON
 4445 BEVERLAND LN
 MACKAY, ID 83251-4435

Priority Date: 7/21/1886

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE

IRRIGATION
 STOCKWATER

From

05/01
 01/01

To

to 10/15
 to 12/31

Diversion Rate

1.000 cfs
 0.120 cfs
 1.000 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER SENWNW Sec 34 Twp 07N Rge 24E CUSTER County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	25E	2		44.0	38.0		34.0		36.0	38.0	40.0			40.0		40.0	40.0		350.0
				L 2				L 3											
06N	25E	11		40.0	34.4		40.0			34.0					34.0	36.0			218.4

Right Acre Limit: 50.0

POU Total Acres: 568.4

PLACE OF USE: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	25E	2		X	X		X		X	X	X			X		X	X		
				L 2				L 3											
06N	25E	11		X	X		X			X					X	X			

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 50 acres within the authorized place of use in a single irrigation season.
2. Rights 34-727B, 34-13571 and 34-13874 when combined shall not exceed a total diversion rate of 1.80 cfs and the irrigation of 496 acres.

Transfer No. 86303

WATER RIGHT NO. 34-13874

As Modified by Transfer No. 86303

CONDITIONS OF APPROVAL

3. Rights 34-550B, 34-551B, 34-727B, 34-733, 34-2407, 34-7160, 34-10238, 34-13570, 34-13571 and 34-13874 when combined shall not exceed a total diversion rate of 13.49 cfs and the irrigation of 568.4 acres.
4. Use of water under this right may 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. 34.
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 place of use.
7. The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the Director of the Idaho Department of Water Resources.
8. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
9. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
10. The appropriator is entitled to the quantity of water described for stockwater purposes at a point of measurement where the delivery ditch enters the place of use described.
11. Water is delivered through Burnett Ditch.
12. This right does not grant any right-of-way or easement across the land of another.
13. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
14. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
15. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 34-727B**As Modified by Transfer No. 86303**

In accordance with the approval of Transfer No. 86303, Water Right No. 34-727B is now described as follows:

Right Holder: RANDY D PEHRSON AND
PEGGY PEHRSON
4445 BEVERLAND LN
MACKAY, ID 83251-4435

Priority Date: 6/1/1883

Source: PASS CREEK

Tributary: BIG LOST RIVER

BENEFICIAL USE	From	To	Diversion Rate	Diversion Volume
IRRIGATION	05/01	to 10/15	0.800 cfs	120.0 af
STOCKWATER	01/01	to 12/31	0.020 cfs	
			0.800 cfs	120.0 af

LOCATION OF POINT(S) OF DIVERSION

PASS CREEK SWSWNE Sec 23 Twp 07N Rge 25E BUTTE County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	25E	2		44.0	38.0		34.0		36.0	38.0	40.0			40.0		40.0	40.0		350.0
				L 2			L 3												
06N	25E	11		40.0	34.4		40.0			34.0					34.0	36.0			218.4

Right Acre Limit: 40.0
POU Total Acres: 568.4

PLACE OF USE: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	25E	2		X	X		X		X	X	X			X		X	X		
				L 2			L 3												
06N	25E	11		X	X		X			X					X	X			

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 40 acres within the authorized place of use in a single irrigation season.
2. Rights 34-727B, 34-13571 and 34-13874 when combined shall not exceed a total diversion rate of 1.80 cfs and the irrigation of 496 acres.

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WATER RIGHT NO. 34-727B
As Modified by Transfer No. 86303

CONDITIONS OF APPROVAL

3. Rights 34-550B, 34-551B, 34-727B, 34-733, 34-2407, 34-7160, 34-10238, 34-13570, 34-13571 and 34-13874 when combined shall not exceed a total diversion rate of 13.49 cfs and the irrigation of 568.4 acres.
4. Use of water under this right may 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. 34.
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 place of use.
7. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
8. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
9. The appropriator is entitled to the quantity of water described for stockwater purposes at a point of measurement where the delivery ditch enters the place of use described.
10. The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the Director of the Idaho Department of Water Resources.
11. This right does not grant any right-of-way or easement across the land of another.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 34-10238**As Modified by Transfer No. 86303**

In accordance with the approval of Transfer No. 86303, Water Right No. 34-10238 is now described as follows:

Right Holder: RANDY D PEHRSON AND
PEGGY PEHRSON
4445 BEVERLAND LN
MACKAY, ID 83251-4435

Priority Date: 6/1/1883

Source: PASS CREEK

Tributary: BIG LOST RIVER

BENEFICIAL USE

IRRIGATION
STOCKWATER

From

05/01
01/01

To

to 10/15
to 12/31

Diversion Rate

1.000 cfs
0.120 cfs
1.000 cfs

LOCATION OF POINT(S) OF DIVERSION

PASS CREEK NWSWNE Sec 23 Twp 07N Rge 25E BUTTE County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	25E	2		44.0	38.0		34.0		36.0	38.0	40.0			40.0		40.0	40.0		350.0
				L 2			L 3												
06N	25E	11		40.0	34.4		40.0			34.0					34.0	36.0			218.4

Right Acre Limit: 160.0

POU Total Acres: 568.4

PLACE OF USE: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	25E	2		X	X		X		X	X	X			X		X	X		
				L 2			L 3												
06N	25E	11		X	X		X			X					X	X			

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 160 acres within the authorized place of use in a single irrigation season.
2. Rights 34-550B, 34-551B, 34-10238 and 34-13570 when combined shall not exceed a total diversion rate of 5.00 cfs and the irrigation of 462 acres.

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WATER RIGHT NO. 34-10238
As Modified by Transfer No. 86303

CONDITIONS OF APPROVAL

3. Rights 34-550B, 34-551B, 34-727B, 34-733, 34-2407, 34-7160, 34-10238, 34-13570, 34-13571 and 34-13874 when combined shall not exceed a total diversion rate of 13.49 cfs and the irrigation of 568.4 acres.
4. Use of water under this right may 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. 34.
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 place of use.
7. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
8. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
9. The appropriator is entitled to the quantity of water described for stockwater purposes at a point of measurement where the delivery ditch enters the place of use described.
10. The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the Director of the Idaho Department of Water Resources.
11. This right does not grant any right-of-way or easement across the land of another.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 34-550B
As Modified by Transfer No. 86303

In accordance with the approval of Transfer No. 86303, Water Right No. 34-550B is now described as follows:

Right Holder: RANDY D PEHRSON AND
 PEGGY PEHRSON
 4445 BEVERLAND LN
 MACKAY, ID 83251-4435

Priority Date: 2/3/1903

Source: PASS CREEK

Tributary: BIG LOST RIVER

BENEFICIAL USE

IRRIGATION
 STOCKWATER

From

05/01
 01/01

To

to 10/15
 to 12/31

Diversion Rate

2.500 cfs
 0.120 cfs
 2.500 cfs

LOCATION OF POINT(S) OF DIVERSION

PASS CREEK NWSWNE Sec 23 Twp 07N Rge 25E BUTTE County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	25E	2		44.0	38.0		34.0		36.0	38.0	40.0			40.0		40.0	40.0		350.0
				L 2			L 3												
06N	25E	11		40.0	34.4		40.0			34.0					34.0	36.0			218.4

Right Acre Limit: 125.0

POU Total Acres: 568.4

PLACE OF USE: STOCKWATER

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	25E	2		X	X		X		X	X	X			X		X	X		
				L 2			L 3												
06N	25E	11		X	X		X			X					X	X			

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 125 acres within the authorized place of use in a single irrigation season.
2. Rights 34-550B, 34-551B, 34-10238 and 34-13570 when combined shall not exceed a total diversion rate of 5.00 cfs and the irrigation of 462 acres.

Transfer No. 86303

WATER RIGHT NO. 34-550B
As Modified by Transfer No. 86303

CONDITIONS OF APPROVAL

3. Rights 34-550B, 34-551B, 34-727B, 34-733, 34-2407, 34-7160, 34-10238, 34-13570, 34-13571 and 34-13874 when combined shall not exceed a total diversion rate of 13.49 cfs and the irrigation of 568.4 acres.
4. Use of water under this right may 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. 34.
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 place of use.
7. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
8. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
9. The appropriator is entitled to the quantity of water described for stockwater purposes at a point of measurement where the delivery ditch enters the place of use described.
10. The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the Director of the Idaho Department of Water Resources.
11. This right does not grant any right-of-way or easement across the land of another.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 34-551B
As Modified by Transfer No. 86303

In accordance with the approval of Transfer No. 86303, Water Right No. 34-551B is now described as follows:

Right Holder: RANDY D PEHRSON AND
 PEGGY PEHRSON
 4445 BEVERLAND LN
 MACKAY, ID 83251-4435

Priority Date: 5/8/1907

Source: PASS CREEK

Tributary: BIG LOST RIVER

BENEFICIAL USE

IRRIGATION
 STOCKWATER

From

05/01
 01/01

To

to 10/15
 to 12/31

Diversion Rate

1.500 cfs
 0.120 cfs
 1.500 cfs

LOCATION OF POINT(S) OF DIVERSION

PASS CREEK NWSWNE Sec 23 Twp 07N Rge 25E BUTTE County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	25E	2		44.0	38.0		34.0		36.0	38.0	40.0			40.0		40.0	40.0		350.0
				L 2			L 3												
06N	25E	11		40.0	34.4		40.0			34.0					34.0	36.0			218.4

Right Acre Limit: 75.0

POU Total Acres: 568.4

PLACE OF USE: STOCKWATER

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	25E	2		X	X		X		X	X	X			X		X	X		
				L 2			L 3												
06N	25E	11		X	X		X			X					X	X			

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 75 acres within the authorized place of use in a single irrigation season.
2. Rights 34-550B, 34-551B, 34-10238 and 34-13570 when combined shall not exceed a total diversion rate of 5.00 cfs and the irrigation of 462 acres.

Transfer No. 86303

WATER RIGHT NO. 34-551B
As Modified by Transfer No. 86303

CONDITIONS OF APPROVAL

3. Rights 34-550B, 34-551B, 34-727B, 34-733, 34-2407, 34-7160, 34-10238, 34-13570, 34-13571 and 34-13874 when combined shall not exceed a total diversion rate of 13.49 cfs and the irrigation of 568.4 acres.
4. Use of water under this right may 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. 34.
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 place of use.
7. The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
8. The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.
9. The appropriator is entitled to the quantity of water described for stockwater purposes at a point of measurement where the delivery ditch enters the place of use described.
10. The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the Director of the Idaho Department of Water Resources.
11. This right does not grant any right-of-way or easement across the land of another.
12. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
13. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
14. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 34-13570
As Modified by Transfer No. 86303

In accordance with the approval of Transfer No. 86303, Water Right No. 34-13570 is now described as follows:

Right Holder: RANDY D PEHRSON AND
 PEGGY PEHRSON
 4445 BEVERLAND LN
 MACKAY, ID 83251-4435

Priority Date: 5/1/1970

Source: PASS CREEK

Tributary: BIG LOST RIVER

BENEFICIAL USE
 IRRIGATION

From 05/01 **To** 10/15
 to

Diversion Rate
 1,500 cfs
 1,500 cfs

LOCATION OF POINT(S) OF DIVERSION

PASS CREEK NWSWNE Sec 23 Twp 07N Rge 25E CUSTER County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	25E	2		44.0	38.0		34.0		36.0	38.0	40.0			40.0		40.0	40.0		350.0
				L 2			L 3												
06N	25E	11		40.0	34.4		40.0			34.0					34.0	36.0			218.4

Right Acre Limit: 462.0

POU Total Acres: 568.4

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 462 acres within the authorized place of use in a single irrigation season.
2. Rights 34-550B, 34-551B, 34-10238 and 34-13570 when combined shall not exceed a total diversion rate of 5.00 cfs and the irrigation of 462 acres.
3. Rights 34-550B, 34-551B, 34-727B, 34-733, 34-2407, 34-7160, 34-10238, 34-13570, 34-13571 and 34-13874 when combined shall not exceed a total diversion rate of 13.49 cfs and the irrigation of 568.4 acres.
4. Use of water under this right may 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. 34.

Transfer No. 86303

WATER RIGHT NO. 34-13570
As Modified by Transfer No. 86303

CONDITIONS OF 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 place of use.
7. The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the Director of the Idaho Department of Water Resources.
8. This right does not grant any right-of-way or easement across the land of another.
9. The right holder shall accomplish the change authorized by this transfer within one year 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 Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 34-13571
As Modified by Transfer No. 86303

In accordance with the approval of Transfer No. 86303, Water Right No. 34-13571 is now described as follows:

Right Holder: RANDY D PEHRSON AND
 PEGGY PEHRSON
 4445 BEVERLAND LN
 MACKAY, ID 83251-4435

Priority Date: 5/1/1971

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE
 IRRIGATION

From 05/01 **To** 10/15

Diversion Rate
 1.800 cfs
 1.800 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER SENWNW Sec 34 Twp 07N Rge 24E CUSTER County

PLACE OF USE: IRRIGATION

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	25E	2		44.0	38.0		34.0		36.0	38.0	40.0			40.0		40.0	40.0		350.0
				L 2			L 3												
06N	25E	11		40.0	34.4		40.0			34.0					34.0	36.0			218.4

Right Acre Limit: 496.0

POU Total Acres: 568.4

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 496 acres within the authorized place of use in a single irrigation season.
2. Rights 34-727B, 34-13571 and 34-13874 when combined shall not exceed a total diversion rate of 1.80 cfs and the irrigation of 496 acres.
3. Rights 34-550B, 34-551B, 34-727B, 34-733, 34-2407, 34-7160, 34-10238, 34-13570, 34-13571 and 34-13874 when combined shall not exceed a total diversion rate of 13.49 cfs and the irrigation of 568.4 acres.
4. Use of water under this right may 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. 34.

Transfer No. 86303

WATER RIGHT NO. 34-13571
As Modified by Transfer No. 86303

CONDITIONS OF 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 place of use.
7. The period of use for irrigation described above may be extended in seasons of unusual characteristics to a beginning date of 04-20 and an ending date of 10-31 at the discretion of the Director of the Idaho Department of Water Resources.
8. Water is delivered through Burnett Ditch.
9. This right does not grant any right-of-way or easement across the land of another.
10. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 34-2407

As Modified by Transfer No. 86303

In accordance with the approval of Transfer No. 86303, Water Right No. 34-2407 is now described as follows:

Right Holder: RANDY D PEHRSON AND
PEGGY PEHRSON
4445 BEVERLAND LN
MACKAY, ID 83251-4435

Priority Date: 3/27/1961

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 10/31	3.330 cfs	1071.0 af
			3.330 cfs	1071.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWSENW	Sec 2	Twp 06N Rge 25E	BUTTE County
GROUND WATER	SWSESW	Sec 2	Twp 06N Rge 25E	BUTTE County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	25E	2		44.0	38.0		34.0		36.0	38.0	40.0			40.0		40.0	40.0		350.0
				L 2			L 3												
06N	25E	11		40.0	34.4		40.0			34.0					34.0	36.0			218.4

Right Acre Limit: 306.0

POU Total Acres: 568.4

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 306 acres within the authorized place of use in a single irrigation season.
2. Rights 34-550B, 34-551B, 34-727B, 34-733, 34-2407, 34-7160, 34-10238, 34-13570, 34-13571 and 34-13874 when combined shall not exceed a total diversion rate of 13.49 cfs and the irrigation of 568.4 acres.
3. Rights 34-2407 and 34-7160 are limited to the irrigation of a specific 462 acres within the 568.4 acre place of use authorized by this right in a single irrigation season. The specific 462 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 462 acres to be irrigated within the 568.4 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.

Transfer No. 86303

WATER RIGHT NO. 34-2407

As Modified by Transfer No. 86303

CONDITIONS OF APPROVAL

4. Use of water under this right may 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. 34.
5. Prior to the diversion and use of water under Transfer approval 86303, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
6. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
7. 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 place of use.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 34-7160
As Modified by Transfer No. 86303

In accordance with the approval of Transfer No. 86303, Water Right No. 34-7160 is now described as follows:

Right Holder: RANDY D PEHRSON AND
 PEGGY PEHRSON
 4445 BEVERLAND LN
 MACKAY, ID 83251-4435

Priority Date: 2/21/1981

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	04/01	to 11/01	1.920 cfs	546.0 af
			1.920 cfs	546.0 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER	NWSENW	Sec 2	Twp 06N Rge 25E	BUTTE County
GROUND WATER	SWSESW	Sec 2	Twp 06N Rge 25E	BUTTE County

PLACE OF USE: IRRIGATION

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	25E	2		44.0	38.0		34.0		36.0	38.0	40.0			40.0		40.0	40.0		350.0
				L 2			L 3												
06N	25E	11		40.0	34.4		40.0			34.0					34.0	36.0			218.4

Right Acre Limit: 156.0

POU Total Acres: 568.4

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 156 acres within the authorized place of use in a single irrigation season.
2. Rights 34-550B, 34-551B, 34-727B, 34-733, 34-2407, 34-7160, 34-10238, 34-13570, 34-13571 and 34-13874 when combined shall not exceed a total diversion rate of 13.49 cfs and the irrigation of 568.4 acres.
3. Rights 34-2407 and 34-7160 are limited to the irrigation of a specific 462 acres within the 568.4 acre place of use authorized by this right in a single irrigation season. The specific 462 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 462 acres to be irrigated within the 568.4 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.

Transfer No. 86303

WATER RIGHT NO. 34-7160
As Modified by Transfer No. 86303

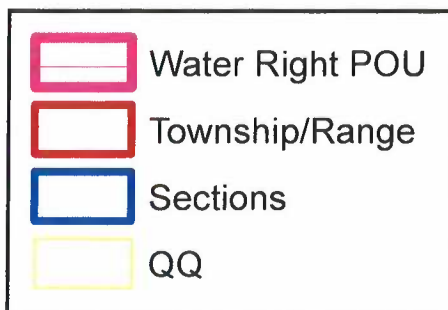
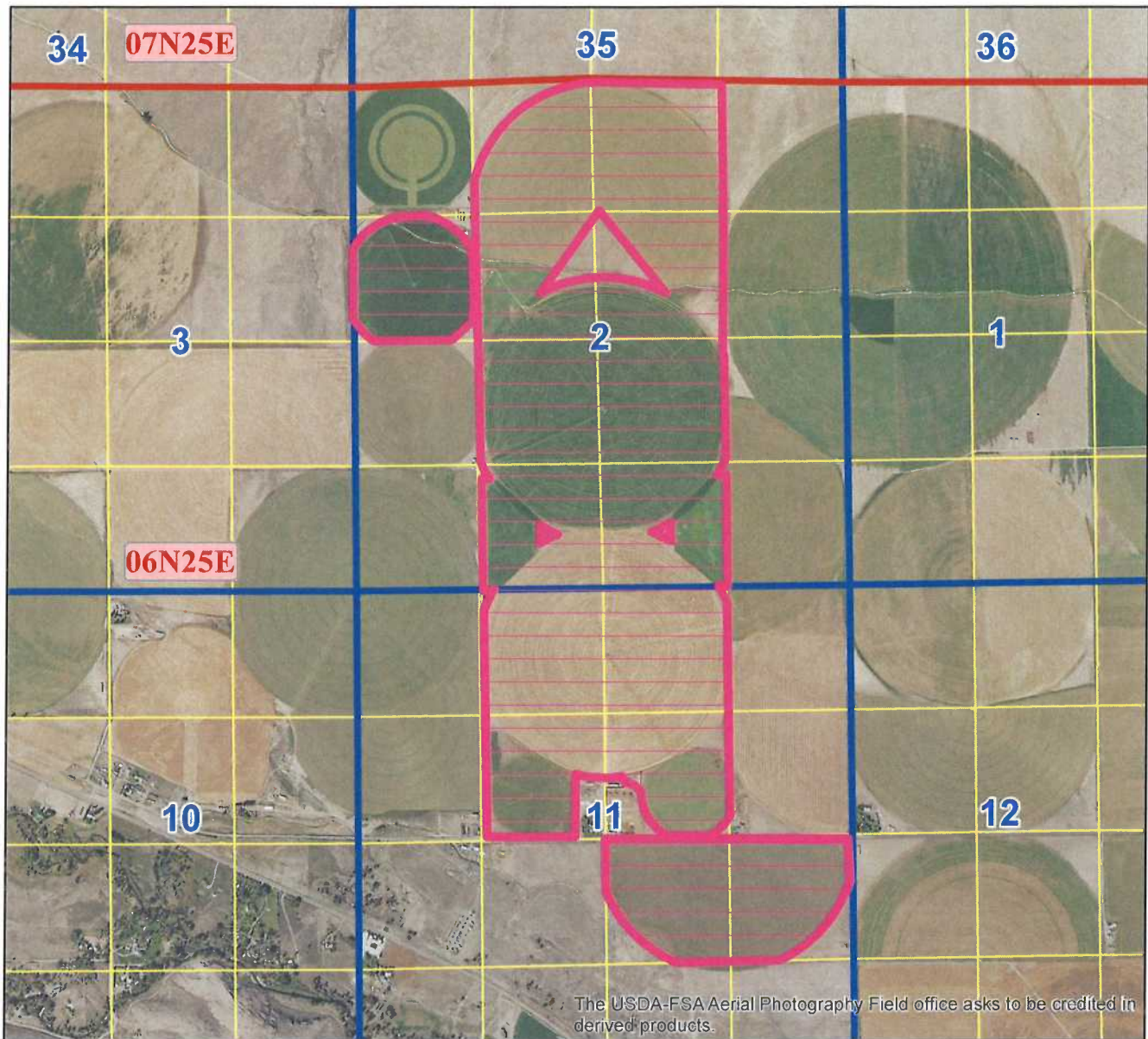
CONDITIONS OF APPROVAL

4. Use of water under this right may 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. 34.
5. Prior to the diversion and use of water under Transfer approval 86303, the right holder shall install and maintain acceptable measuring device(s) at the authorized point(s) of diversion in accordance with Department specifications, or shall obtain an approved variance from the Department to determine the amount of water diverted from power records or to maintain an existing measuring device.
6. Upon specific notification of the Department, the right holder shall install and maintain data loggers to record water usage information at the authorized point(s) of diversion in accordance with Department specifications.
7. 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 place of use.
8. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Idaho Code § 42-1412(6), 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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Attachment to Transfer Approval 86303

Water Rights 34-550B, 34-551B, 34-727B, 34-733, 34-10238, 34-13570, 34-13571 and 34-13874

This map depicts the place of use boundary at the time of this transfer approval and is attached to the approval document solely for illustrative purposes.

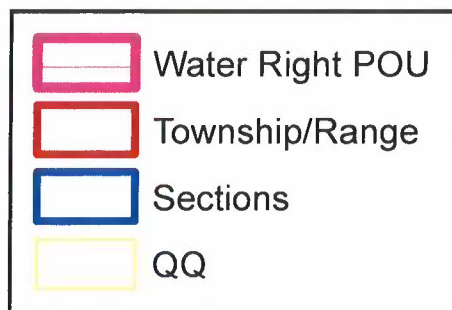
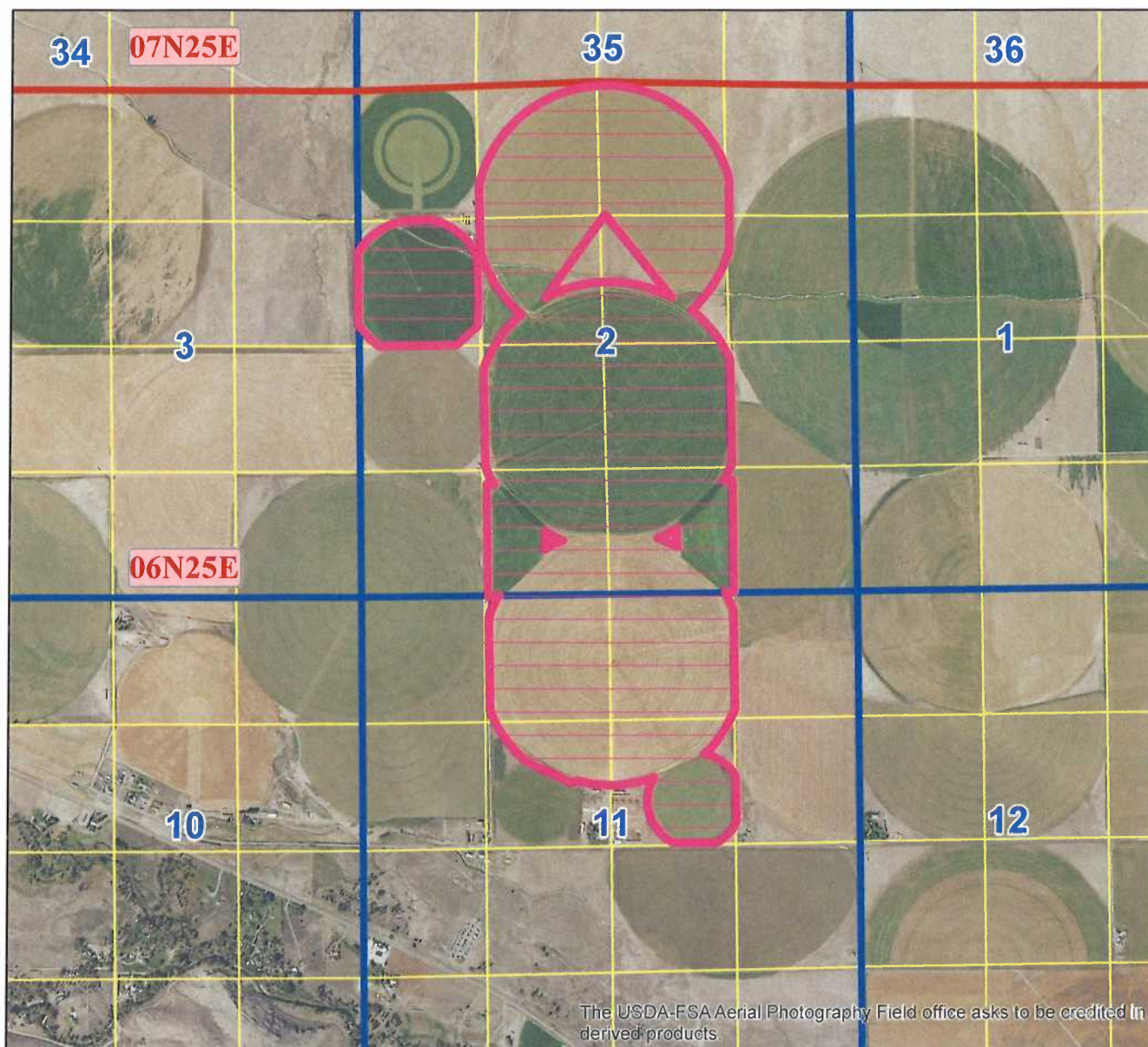


Date: 8/23/2022

Attachment to Transfer Approval 86303

Initial 462-Acre Irrigated Area for Water Rights 34-2407 and 34-7160

This map depicts the place of use boundary at the time of this transfer approval and is attached to the approval document solely for illustrative purposes.



Date: 8/23/2022



August 23, 2022

RANDY D PEHRSON
PEGGY PEHRSON
4445 BEVERLAND LN
MACKAY ID 83251-4435

Re: Transfer No: 86303
Water Right No(s): 34-550B , 34-551B , 34-727B , 34-733, 34-2407, 34-7160,
34-10238, 34-13570, 34-13571, 34-13874

Transfer Approval Notice

Dear Water Right Holder:

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

If the transfer approval includes a condition requiring measuring and recording devices, such devices shall comply with specifications established by the Department. Detailed specifications are available on the Department's home page on the Internet, or you can request a copy by contacting any office of the Department. Please be sure to thoroughly review the specifications to avoid unnecessary costs for reinstallation or modification due to non-conforming or improperly installed devices.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at (208) 525-7161.

Sincerely,

A handwritten signature in blue ink, appearing to read 'CH', is positioned above the printed name.

Christina Henman
Administrative Assistant

Enclosure
CC:

CERTIFICATE OF SERVICE

I hereby certify that on August 23, 2022 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Transfer) to the person(s) listed below:

Re: Transfer No.: 86303

Water Right No(s): 34-550B , 34-551B , 34-727B , 34-733, 34-2407, 34-7160, 34-10238, 34-13570, 34-13571, 34-13874

**RANDY D PEHRSON
PEGGY PEHRSON
4445 BEVERLAND LN
MACKAY ID 83251-4435**



**Christina Henman
Administrative Assistant**

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was **not** held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. **It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:**

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.