

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 85954**

This is to certify that: **MIMI L G ROSENKRANCE AND
SHANE D ROSENKRANCE
5532 BARTON FLAT RD
MACKAY, ID 83251-4429**

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>
34-14568	WR/DECREED	5/1/1886	0.340 cfs	N/A	17.2	100.4	SPRING
34-14570	WR/DECREED	7/17/1886	1.310 cfs	N/A	65.6	112.0	BIG LOST RIVER
34-14572	WR/DECREED	5/10/1889	1.050 cfs	N/A	N/A	112.0	BIG LOST RIVER
34-14574	WR/DECREED	5/26/1904	0.700 cfs	N/A	N/A	112.0	BIG LOST RIVER
34-7090A	WR/DECREED	1/3/1975	1.220 cfs	245.8 af	189.5	228.5	GROUND WATER

Associated Water Rights Also Included in the Transfer Approval (Conditions Updated)

<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>
34-381C	WR/DECREED	9/26/1894	0.380 cfs	N/A	19.0	228.5	BIG LOST RIVER
34-10400	WR/DECREED	5/1/1928	5.000 cfs	N/A		228.5	ALDER CREEK
34-10392	WR/DECREED	8/1/1899	1.536 cfs	N/A	216.0	228.5	BIG LOST RIVER
34-10396	WR/DECREED	5/1/1905	1.730 cfs	N/A	52.0	228.5	BIG LOST RIVER
34-682B	WR/DECREED	6/1/1909	0.240 cfs	N/A	12.0	228.5	ALDER CREEK
34-680A	WR/DECREED	6/1/1896	1.150 cfs	N/A	57.5	228.5	BIG LOST RIVER
34-119E	WR/DECREED	4/22/1884	0.960 cfs	N/A	48.0	228.5	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>
34-14568	NO	NO	YES	NO	NO	NO
34-14570	NO	YES	YES	NO	NO	NO
34-14572	NO	YES	YES	NO	NO	NO
34-14574	NO	YES	YES	NO	NO	NO
34-7090A	NO	YES	YES	NO	NO	NO

Transfer No. 85954

**Support Data
In File # 34-7090A**

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 85954

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>
34-14568	34-14568	0.340 cfs	N/A	17.2	112.0	N/A				
34-14570	34-14570	1.310 cfs	N/A	65.6	112.0	N/A	N/A	N/A	N/A	N/A
34-14572	34-14572	1.050 cfs	N/A	N/A	112.0	N/A	N/A	N/A	N/A	N/A
34-14574	34-14574	0.700 cfs	N/A	N/A	112.0	N/A	N/A	N/A	N/A	N/A
34-7090A	34-7090A	1.220 cfs	245.8 af	N/A	112.0	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		3.400 cfs	N/A	112.0	112.0		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 26th day of May, 2022.



Regional Manager

Transfer No. 85954

Support Data
In File # 34-7090A

WATER RIGHT NO. 34-7090A
As Modified by Transfer No. 85954

In accordance with the approval of Transfer No. 85954, Water Right No. 34-7090A is now described as follows:

Right Holder: SHANE D ROSENKRANCE AND
MIMI L G ROSENKRANCE
5532 BARTON FLAT RD
MACKAY, ID 83251-4429

Priority Date: 1/3/1975

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Diversion Volume</u>
IRRIGATION	4 /01	to 11/01	1.220 cfs	245.8 af
			1.220 cfs	245.8 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWSE Sec 8 Twp 06N Rge 25E CUSTER 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	8				15.0									40.0	9.0	10.0	38.0	112.0

POU Total Acres: 112.0

CONDITIONS OF APPROVAL

1. Rights 34-7090A, 34-14568, 34-14570, 34-14572, and 34-14574 when combined shall not exceed a total diversion rate of 3.40 cfs and the irrigation of 112 acres.
2. 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.
3. Prior to the diversion and use of water under Transfer approval 85954, 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.
4. 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.

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WATER RIGHT NO. 34-7090A
As Modified by Transfer No. 85954

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. Right holder shall comply with the drilling permit requirements of Idaho Code § 42-235 and applicable Well Construction Rules of the Department.
7. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
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. 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. 34-14568

As Modified by Transfer No. 85954

In accordance with the approval of Transfer No. 85954, Water Right No. 34-14568 is now described as follows:

Right Holder: SHANE D ROSENKRANCE
5532 BARTON FLAT RD
MACKAY, ID 83251-4429

Priority Date: 5/1/1886

Source: SPRING

Tributary: SINKS

BENEFICIAL USE

IRRIGATION

From

05/01

To

to 10/15

Diversion Rate

0.340 cfs

0.340 cfs

LOCATION OF POINT(S) OF DIVERSION

SPRING

SESWSE

Sec 1 Twp 06N 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	8				15.0									40.0	9.0	10.0	38.0	112.0

Right Acre Limit: 17.2

POU Total Acres: 112.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 17.2 acres within the authorized place of use in a single irrigation season.
2. Rights 34-7090A, 34-14568, 34-14570, 34-14572, and 34-14574 when combined shall not exceed a total diversion rate of 3.40 cfs and the irrigation of 112 acres.
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 place of use.
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).

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WATER RIGHT NO. 34-14568
As Modified by Transfer No. 85954

CONDITIONS OF APPROVAL

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 carried in the Vanous 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. 34-14570
As Modified by Transfer No. 85954

In accordance with the approval of Transfer No. 85954, Water Right No. 34-14570 is now described as follows:

Right Holder: SHANE D ROSENKRANCE
 5532 BARTON FLAT RD
 MACKAY, ID 83251-4429

Priority Date: 7/17/1886

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE

IRRIGATION

From

05/01

To

to 10/15

Diversion Rate

1.310 cfs

1.310 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER	NWNENE	Sec 7	Twp 06N Rge 25E	CUSTER County	(R)
BIG LOST RIVER	L3 (NWSW)	Sec 7	Twp 06N Rge 25E	CUSTER County	(I)
BIG LOST RIVER	NWSWNE	Sec 33	Twp 07N Rge 24E	CUSTER 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	8				15.0									40.0	9.0	10.0	38.0	112.0

Right Acre Limit: 65.6

POU Total Acres: 112.0

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 65.6 acres within the authorized place of use in a single irrigation season.
2. Rights 34-7090A, 34-14568, 34-14570, 34-14572, and 34-14574 when combined shall not exceed a total diversion rate of 3.40 cfs and the irrigation of 112 acres.
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 place of use.
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).

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WATER RIGHT NO. 34-14570
As Modified by Transfer No. 85954

CONDITIONS OF APPROVAL

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. Point of injection into and point of redirection from Alder Creek.
8. Water is delivered through the Darlington 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. 34-14572**As Modified by Transfer No. 85954**

In accordance with the approval of Transfer No. 85954, Water Right No. 34-14572 is now described as follows:

Right Holder: SHANE D ROSENKRANCE
5532 BARTON FLAT RD
MACKAY, ID 83251-4429

Priority Date: 5/10/1889

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE

IRRIGATION

From

05/01

To

to 10/15

Diversion Rate

1.050 cfs

1.050 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER	NWNENE	Sec 7	Twp 06N Rge 25E	CUSTER County	(R)
BIG LOST RIVER	L3 (NWSW)	Sec 7	Twp 06N Rge 25E	CUSTER County	(I)
BIG LOST RIVER	NWSWNE	Sec 33	Twp 07N Rge 24E	CUSTER 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	8				15.0									40.0	9.0	10.0	38.0	112.0

POU Total Acres: 112.0

CONDITIONS OF APPROVAL

1. Rights 34-7090A, 34-14568, 34-14570, 34-14572, and 34-14574 when combined shall not exceed a total diversion rate of 3.40 cfs and the irrigation of 112 acres.
2. 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.
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).
5. 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.

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WATER RIGHT NO. 34-14572
As Modified by Transfer No. 85954

CONDITIONS OF APPROVAL

6. Point of injection into and point of rediversion from Alder Creek.
7. Water is delivered through the Darlington 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. 34-14574**As Modified by Transfer No. 85954**

In accordance with the approval of Transfer No. 85954, Water Right No. 34-14574 is now described as follows:

Right Holder: SHANE D ROSENKRANCE
5532 BARTON FLAT RD
MACKAY, ID 83251-4429

Priority Date: 5/26/1904

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE
IRRIGATION

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

Diversion Rate
0.700 cfs
0.700 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER	NWNENE	Sec 7 Twp 06N Rge 25E	CUSTER County	(R)
BIG LOST RIVER	L3 (NWSW)	Sec 7 Twp 06N Rge 25E	CUSTER County	(I)
BIG LOST RIVER	NWSWNE	Sec 33 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	8				15.0									40.0	9.0	10.0	38.0	112.0

POU Total Acres: 112.0

CONDITIONS OF APPROVAL

1. Rights 34-7090A, 34-14568, 34-14570, 34-14572, and 34-14574 when combined shall not exceed a total diversion rate of 3.40 cfs and the irrigation of 112 acres.
2. 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.
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).
5. 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.

Transfer No. 85954

WATER RIGHT NO. 34-14574
As Modified by Transfer No. 85954

CONDITIONS OF APPROVAL

6. Point of injection into and point of rediversion from Alder Creek.
7. Water is delivered through the Darlington 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. 34-381C**As Modified by Transfer No. 85954**

In accordance with the approval of Transfer No. 85954, Water Right No. 34-381C is now described as follows:

Right Holder: SHANE D ROSENKRANCE AND
MIMI L G ROSENKRANCE
5532 BARTON FLAT RD
MACKAY, ID 83251-4429

Priority Date: 9/26/1894

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE
IRRIGATION

From 5 /01 **To** 10/15

Diversion Rate
0.380 cfs
0.380 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER NWSWNE Sec 33 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	16					16.2	21.8	34.3			18.6	41.1						132.0
06N	25E	17				8.2									8.6			6.0	22.8
06N	25E	20	6.8																6.8
			L 1																
06N	25E	21					26.7	40.2											66.9
							L 3	L 4											

Right Acre Limit: 19.0
POU Total Acres: 228.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 19 acres within the authorized place of use in a single irrigation season.
2. Rights 34-119E, 34-381C, 34-680A, 34-682B, 34-10392, 34-10396 and 34-10400 when combined shall not exceed a total diversion rate of 6.86 cfs and the irrigation of 228.5 acres.
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. 34.

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WATER RIGHT NO. 34-381C
As Modified by Transfer No. 85954

CONDITIONS OF APPROVAL

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).
5. 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.
6. Water is delivered through the Darlington ditch.
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.

WATER RIGHT NO. 34-10400**As Modified by Transfer No. 85954**

In accordance with the approval of Transfer No. 85954, Water Right No. 34-10400 is now described as follows:

Right Holder: SHANE D ROSENKRANCE AND
MIMI L G ROSENKRANCE
5532 BARTON FLAT RD
MACKAY, ID 83251-4429

Priority Date: 5/1/1928

Source: ALDER CREEK

Tributary: BIG LOST RIVER

BENEFICIAL USE
IRRIGATION

From 5 /01 **To** 10/15

Diversion Rate
5.000 cfs
5.000 cfs

LOCATION OF POINT(S) OF DIVERSION

ALDER CREEK L3 (NWNWSW) Sec 7 Twp 06N 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	16					16.2	21.8	34.3			18.6	41.1						132.0
06N	25E	17				8.2									8.6			6.0	22.8
06N	25E	20	6.8																6.8
			L 1																
06N	25E	21					26.7	40.2											66.9
							L 3	L 4											

POU Total Acres: 228.5

CONDITIONS OF APPROVAL

1. Rights 34-119E, 34-381C, 34-680A, 34-682B, 34-10392, 34-10396 and 34-10400 when combined shall not exceed a total diversion rate of 6.86 cfs and the irrigation of 228.5 acres.
2. 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. 34.
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. 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.

Transfer No. 85954

WATER RIGHT NO. 34-10400
As Modified by Transfer No. 85954

CONDITIONS OF APPROVAL

5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. 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.



WATER RIGHT NO. 34-10392**As Modified by Transfer No. 85954**

In accordance with the approval of Transfer No. 85954, Water Right No. 34-10392 is now described as follows:

Right Holder: SHANE D ROSENKRANCE AND
MIMI L G ROSENKRANCE
5532 BARTON FLAT RD
MACKAY, ID 83251-4429

Priority Date: 8/1/1899

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE
IRRIGATION

From 5 /01 **To** 10/15

Diversion Rate
1.536 cfs
1.536 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER NWSWNE Sec 33 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	16					16.2	21.8	34.3			18.6	41.1						132.0
06N	25E	17				8.2									8.6			6.0	22.8
06N	25E	20	6.8																6.8
			L 1																
06N	25E	21					26.7	40.2											66.9
							L 3	L 4											

Right Acre Limit: 216.0

POU Total Acres: 228.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 216 acres within the authorized place of use in a single irrigation season.
2. Rights 34-119E, 34-381C, 34-680A, 34-682B, 34-10392, 34-10396 and 34-10400 when combined shall not exceed a total diversion rate of 6.86 cfs and the irrigation of 228.5 acres.
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. 34.

Transfer No. 85954

WATER RIGHT NO. 34-10392
As Modified by Transfer No. 85954

CONDITIONS OF APPROVAL

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).
5. 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.
6. Water is delivered through the Darlington ditch.
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.

WATER RIGHT NO. 34-10396
As Modified by Transfer No. 85954

In accordance with the approval of Transfer No. 85954, Water Right No. 34-10396 is now described as follows:

Right Holder: SHANE D ROSENKRANCE AND
MIMI L G ROSENKRANCE
5532 BARTON FLAT RD
MACKAY, ID 83251-4429

Priority Date: 5/1/1905

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE
IRRIGATION

From 5/01 **To** 10/15

Diversion Rate
1.730 cfs
1.730 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER NWSWNE Sec 33 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	16					16.2	21.8	34.3			18.6	41.1						132.0
06N	25E	17				8.2									8.6			6.0	22.8
06N	25E	20	6.8																6.8
			L 1																
06N	25E	21					26.7	40.2											66.9
							L 3	L 4											

Right Acre Limit: 52.0

POU Total Acres: 228.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 52 acres within the authorized place of use in a single irrigation season.
2. Rights 34-119E, 34-381C, 34-680A, 34-682B, 34-10392, 34-10396 and 34-10400 when combined shall not exceed a total diversion rate of 6.86 cfs and the irrigation of 228.5 acres.
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. 34.

Transfer No. 85954

WATER RIGHT NO. 34-10396

As Modified by Transfer No. 85954

CONDITIONS OF APPROVAL

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).
5. 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.
6. Water is delivered through the Darlington ditch.
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.

WATER RIGHT NO. 34-682B**As Modified by Transfer No. 85954**

In accordance with the approval of Transfer No. 85954, Water Right No. 34-682B is now described as follows:

Right Holder: SHANE D ROSENKRANCE AND
MIMI L G ROSENKRANCE
5532 BARTON FLAT RD
MACKAY, ID 83251-4429

Priority Date: 6/1/1909

Source: ALDER CREEK

Tributary: BIG LOST RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	5 /01	to 10/15	0.240 cfs
STOCKWATER	1 /01	to 12/31	0.020 cfs
			0.240 cfs

LOCATION OF POINT(S) OF DIVERSION

ALDER CREEK L3 (NWNWSW) Sec 7 Twp 06N 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	16					16.2	21.8	34.3			18.6	41.1						132.0
06N	25E	17				8.2									8.6			6.0	22.8
06N	25E	20	6.8																6.8
			L 1																
06N	25E	21					26.7	40.2											66.9
							L 3	L 4											

Right Acre Limit: 12.0

POU Total Acres: 228.5

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	20	X																
			L 1																

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 12 acres within the authorized place of use in a single irrigation season.

Transfer No. 85954

WATER RIGHT NO. 34-682B
As Modified by Transfer No. 85954

CONDITIONS OF APPROVAL

2. Rights 34-119E, 34-381C, 34-680A, 34-682B, 34-10392, 34-10396 and 34-10400 when combined shall not exceed a total diversion rate of 6.86 cfs and the irrigation of 228.5 acres.
3. Stockwater use is for 1000 cattle.
4. 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.
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. 34.
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. 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 the Darlington ditch.
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 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.

WATER RIGHT NO. 34-680A**As Modified by Transfer No. 85954**

In accordance with the approval of Transfer No. 85954, Water Right No. 34-680A is now described as follows:

Right Holder: SHANE D ROSENKRANCE AND
MIMI L G ROSENKRANCE
5532 BARTON FLAT RD
MACKAY, ID 83251-4429

Priority Date: 6/1/1896

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE
IRRIGATION

From
5 /01

To
to 10/15

Diversion Rate
1.150 cfs
1.150 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER NWSWNE Sec 33 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	16					16.2	21.8	34.3			18.6	41.1						132.0
06N	25E	17				8.2									8.6			6.0	22.8
06N	25E	20	6.8																6.8
			L 1																
06N	25E	21					26.7	40.2											66.9
							L 3	L 4											

Right Acre Limit: 57.5
POU Total Acres: 228.5

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 57.5 acres within the authorized place of use in a single irrigation season.
2. Rights 34-119E, 34-381C, 34-680A, 34-682B, 34-10392, 34-10396 and 34-10400 when combined shall not exceed a total diversion rate of 6.86 cfs and the irrigation of 228.5 acres.
3. Water is delivered through the Darlington ditch.
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. 34.

Transfer No. 85954

WATER RIGHT NO. 34-680A
As Modified by Transfer No. 85954

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. 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. 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.

WATER RIGHT NO. 34-119E
As Modified by Transfer No. 85954

In accordance with the approval of Transfer No. 85954, Water Right No. 34-119E is now described as follows:

Right Holder: SHANE D ROSENKRANCE AND
MIMI L G ROSENKRANCE
5532 BARTON FLAT RD
MACKAY, ID 83251-4429

Priority Date: 4/22/1884

Source: BIG LOST RIVER

Tributary: SINKS

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
IRRIGATION	5 /01	to 10/15	0.960 cfs
STOCKWATER	1 /01	to 12/31	0.020 cfs
			0.960 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER NWSWNE Sec 33 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	16					16.2	21.8	34.3			18.6	41.1						132.0
06N	25E	17				8.2									8.6			6.0	22.8
06N	25E	20			6.8														6.8
					L 1														
06N	25E	21					26.7	40.2											66.9
							L 3	L 4											

Right Acre Limit: 48.0
POU Total Acres: 228.5

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	20	X																
			L 1																

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 48 acres within the authorized place of use in a single irrigation season.

Transfer No. 85954

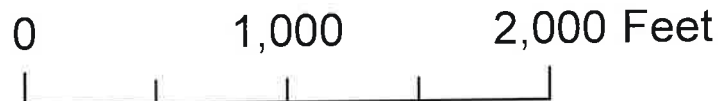
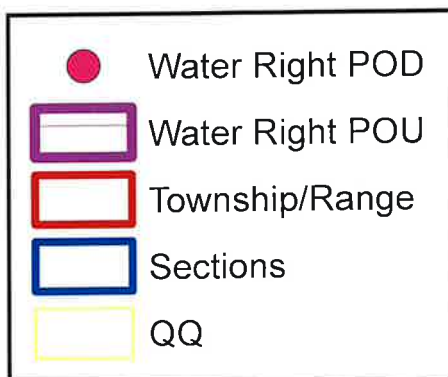
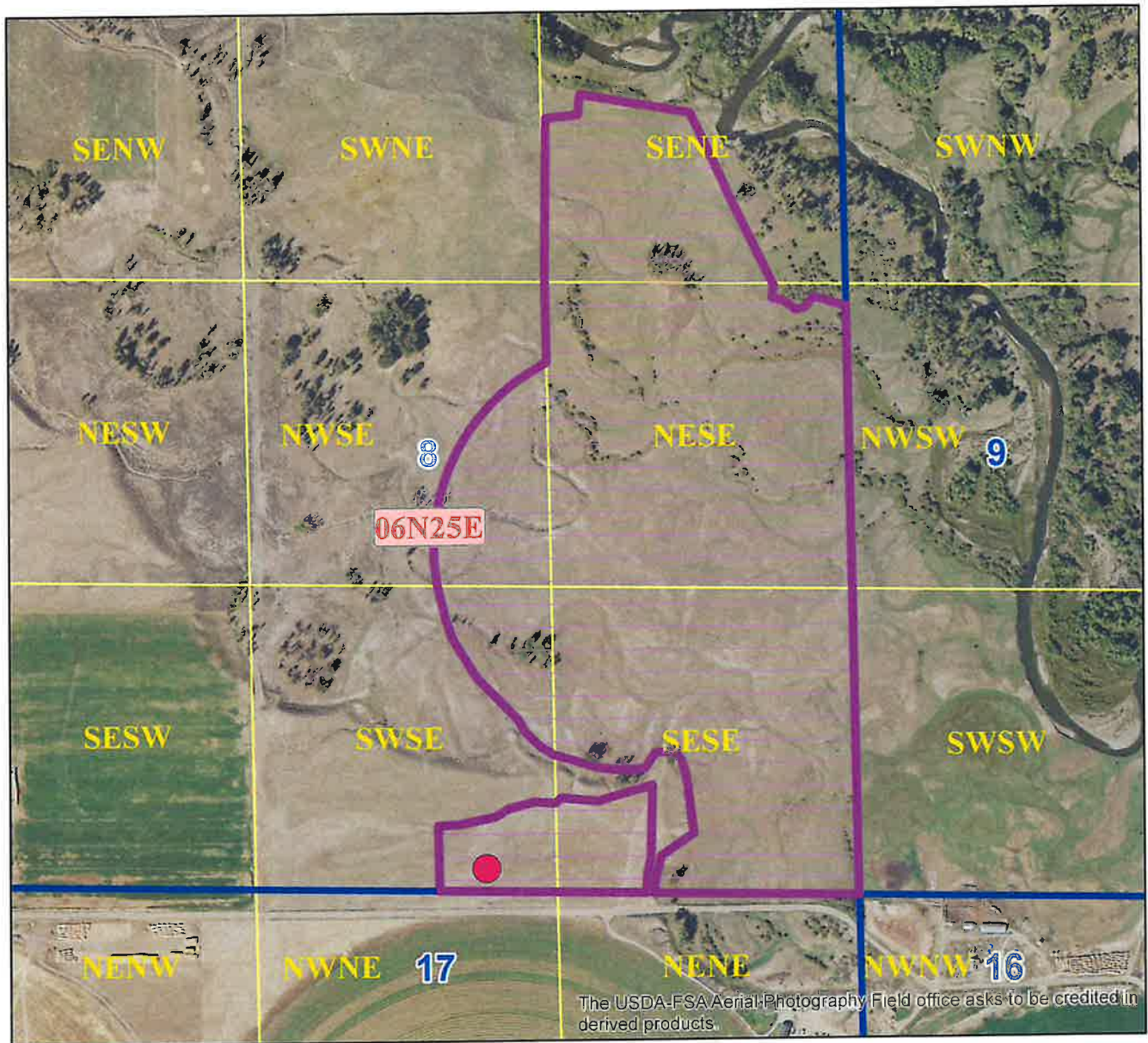
WATER RIGHT NO. 34-119E
As Modified by Transfer No. 85954

CONDITIONS OF APPROVAL

2. Rights 34-119E, 34-381C, 34-680A, 34-682B, 34-10392, 34-10396 and 34-10400 when combined shall not exceed a total diversion rate of 6.86 cfs and the irrigation of 228.5 acres.
3. Stockwater use is for 1000 cattle.
4. 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.
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. 34.
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. 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 the Darlington ditch.
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 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.

Attachment to Transfer Approval 85954

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: 5/26/2022



IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

May 26, 2022

SHANE D ROSENKRANCE
MIMI L G ROSENKRANCE
5532 BARTON FLAT RD
MACKAY ID 83251-4429

Re: Transfer No: 85954
Water Right No(s): 34-119E , 34-381C , 34-680A , 34-682B , 34-7090A ,
34-10392, 34-10396, 34-10400, 34-14568, 34-14570, 34-14572, 34-14574

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 black ink, appearing to read 'CH' or 'CHenman', written in a cursive style.

Christina Henman
Administrative Assistant

Enclosure
CC:

CERTIFICATE OF SERVICE

I hereby certify that on May 26, 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.: 85954

**Water Right No(s): 34-119E , 34-381C , 34-680A , 34-682B , 34-7090A ,
34-10392, 34-10396, 34-10400, 34-14568, 34-14570, 34-14572, 34-14574**

**SHANE D ROSENKRANCE
MIMI L G ROSENKRANCE
5532 BARTON FLAT RD
MACKAY ID 83251-4429**



**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.