

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 84777**

This is to certify that: **BRETT WILLIAMS AND
TRUDY WILLIAMS
3962 N 3580 W
MOORE, ID 83255-8740**

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>
34-7054A	WR/DECREED	12/10/1973	5.860 cfs	1367.1 af	N/A	390.6	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>
34-18	WR/DECREED	6/1/1887	0.950 cfs	N/A	47.3	568.7	BIG LOST RIVER
34-20A	WR/DECREED	6/1/1889	0.950 cfs	N/A	47.3	568.7	BIG LOST RIVER
34-569E	WR/DECREED	4/22/1884	0.790 cfs	N/A	39.4	568.7	BIG LOST RIVER
34-7A	WR/DECREED	2/3/1903	0.540 cfs	N/A	27.0	568.7	PASS CREEK
34-8A	WR/DECREED	5/8/1907	0.200 cfs	N/A	10.0	568.7	PASS CREEK
34-13581	WR/DECREED	3/28/1974	1.500 cfs	N/A		356.0	PASS CREEK
34-13582	WR/DECREED	3/28/1974	2.840 cfs	N/A	277.2	568.7	BIG LOST RIVER
34-608B	WR/DECREED	6/30/1888	0.240 cfs	N/A	11.8	568.7	BIG LOST RIVER
34-609B	WR/DECREED	6/30/1896	0.240 cfs	N/A	11.8	568.7	BIG LOST RIVER
34-10634	WR/DECREED	5/1/1908	1.410 cfs	N/A	70.5	568.7	PASS CREEK
34-19	WR/DECREED	6/23/1913	1.420 cfs	N/A	70.9	568.7	BIG LOST RIVER
34-253B	WR/DECREED	9/14/1886	1.260 cfs	N/A	63.0	568.7	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>
34-7054A	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>
34-7054A	34-7054A	5.860 cfs	1367.1 af	N/A	390.6	N/A	N/A	N/A	N/A	N/A

Transfer No. 84777

**Support Data
In File # 34-7054A**

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 84777

COMBINED TOTALS 5.860 cfs 1367.1 af N/A 390.6 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 29th day of October, 2021.



Regional Manager



Transfer No. 84777

Support Data
In File # 34-7054A

WATER RIGHT NO. 34-7054A**As Modified by Transfer No. 84777**

In accordance with the approval of Transfer No. 84777, Water Right No. 34-7054A is now described as follows:

Right Holder: BRETT WILLIAMS AND
TRUDY WILLIAMS
3962 N 3580 W
MOORE, ID 83255-8740

Priority Date: 12/10/1973

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	5.860 cfs 5.860 cfs	1367.1 af 1367.1 af

LOCATION OF POINT(S) OF DIVERSION

GROUND WATER SWSWSE Sec 8 Twp 06N Rge 26E 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	26E	5											52	12					64
													L 4	L 5					
06N	26E	8					29.0	26.0	37.0	39.0	9.6	10.0	36.0	35.0					221.6
06N	26E	17					34.0	35.0	35.0			1.0							105.0

POU Total Acres: 390.6

CONDITIONS OF APPROVAL

1. Rights 34-7054A, 34-7A, 34-8A, 34-18, 34-19, 34-20A, 34-253B, 34-569E, 34-608B, 34-609B, 34-10634, 34-13581 and 34-13582 when combined shall not exceed a total diversion rate of 13.84 cfs and the irrigation of 637.7 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 84777, 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.

Transfer No. 84777

WATER RIGHT NO. 34-7054A
As Modified by Transfer No. 84777

CONDITIONS OF APPROVAL

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.
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 right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
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 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. 34-18**As Modified by Transfer No. 84777**

In accordance with the approval of Transfer No. 84777, Water Right No. 34-18 is now described as follows:

Right Holder: BRETT WILLIAMS
3962 N 3580 W
MOORE, ID 83255-8740

Priority Date: 6/1/1887

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE
IRRIGATION

From
5/01

To
to 10/15

Diversion Rate
0.950 cfs
0.950 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER SWSESW Sec 11 Twp 06N Rge 25E CUSTER County
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	26E	5											61.2	48.0					109.2
													L 4	L 5					
06N	26E	6																40.0	40.0
06N	26E	7	38.0																38.0
06N	26E	8					40.0	40.0	40.0	40.0	13.0	10.0	40.0						223.0
06N	26E	17						40.0	40.0			40.0	38.5						158.5

Right Acre Limit: 47.3

POU Total Acres: 568.7

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 47.3 acres within the authorized place of use in a single irrigation season.
2. Rights 34-18, 34-19, 34-20A, 34-253B, 34-569E, 34-608B, 34-609B, and 34-13582 when combined shall not exceed a total diversion rate of 5.83 cfs.
3. Rights 34-7A, 34-8A, 34-10634, 34-13581, 34-18, 34-19, 34-20A, 34-253B, 34-569E, 34-608B, 34-609B, and 34-13582 when combined shall not exceed a total diversion rate of 7.98 cfs and the irrigation of 568.7 acres.
4. Rights 34-2377, 34-889, 34-486A, 34-7A, 34-8A, 34-18, 34-19, 34-20A, 34-253B, 34-569E, 34-608B, 34-609B, 34-10634, 34-13581 and 34-13582 when combined shall not exceed a total diversion rate of 11.18 cfs and the irrigation of 637 acres.

Transfer No. 84777

WATER RIGHT NO. 34-18
As Modified by Transfer No. 84777

CONDITIONS OF APPROVAL

5. Rights 34-7054A, 34-7A, 34-8A, 34-18, 34-19, 34-20A, 34-253B, 34-569E, 34-608B, 34-609B, 34-10634, 34-13581 and 34-13582 when combined shall not exceed a total diversion rate of 13.84 cfs and the irrigation of 637.7 acres.
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 the McGowan and Burnett Ditches.
8. Right No. 34-13582 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
9. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 34-20A**As Modified by Transfer No. 84777**

In accordance with the approval of Transfer No. 84777, Water Right No. 34-20A is now described as follows:

Right Holder: BRETT WILLIAMS
3962 N 3580 W
MOORE, ID 83255-8740

Priority Date: 6/1/1889

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE
IRRIGATION

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

Diversion Rate
0.950 cfs
0.950 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER SWSESW Sec 11 Twp 06N Rge 25E CUSTER County
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	26E	5											61.2	48.0					109.2
													L 4	L 5					
06N	26E	6																40.0	40.0
06N	26E	7	38.0																38.0
06N	26E	8					40.0	40.0	40.0	40.0	13.0	10.0	40.0						223.0
06N	26E	17						40.0	40.0			40.0	38.5						158.5

Right Acre Limit: 47.3
POU Total Acres: 568.7

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 47.3 acres within the authorized place of use in a single irrigation season.
2. Rights 34-18, 34-19, 34-20A, 34-253B, 34-569E, 34-608B, 34-609B, and 34-13582 when combined shall not exceed a total diversion rate of 5.83 cfs.
3. Rights 34-7A, 34-8A, 34-10634, 34-13581, 34-18, 34-19, 34-20A, 34-253B, 34-569E, 34-608B, 34-609B, and 34-13582 when combined shall not exceed a total diversion rate of 7.98 cfs and the irrigation of 568.7 acres.
4. Rights 34-2377, 34-889, 34-486A, 34-7A, 34-8A, 34-18, 34-19, 34-20A, 34-253B, 34-569E, 34-608B, 34-609B, 34-10634, 34-13581 and 34-13582 when combined shall not exceed a total diversion rate of 11.18 cfs and the irrigation of 637 acres.

Transfer No. 84777

WATER RIGHT NO. 34-20A
As Modified by Transfer No. 84777

CONDITIONS OF APPROVAL

5. Rights 34-7054A, 34-7A, 34-8A, 34-18, 34-19, 34-20A, 34-253B, 34-569E, 34-608B, 34-609B, 34-10634, 34-13581 and 34-13582 when combined shall not exceed a total diversion rate of 13.84 cfs and the irrigation of 637.7 acres.
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 the McGowan and Burnett Ditches.
8. Right No. 34-13582 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
9. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 34-569E**As Modified by Transfer No. 84777**

In accordance with the approval of Transfer No. 84777, Water Right No. 34-569E is now described as follows:

Right Holder: BRETT WILLIAMS
3962 N 3580 W
MOORE, ID 83255-8740

Priority Date: 4/22/1884

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE
IRRIGATION

From
5/01

To
to 10/15

Diversion Rate
0.790 cfs
0.790 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER SWSESW Sec 11 Twp 06N Rge 25E CUSTER County
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	26E	5											61.2	48.0					109.2
													L 4	L 5					
06N	26E	6																40.0	40.0
06N	26E	7	38.0																38.0
06N	26E	8					40.0	40.0	40.0	40.0	13.0	10.0	40.0						223.0
06N	26E	17						40.0	40.0			40.0	38.5						158.5

Right Acre Limit: 39.4
POU Total Acres: 568.7

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 39.4 acres within the authorized place of use in a single irrigation season.
2. Rights 34-18, 34-19, 34-20A, 34-253B, 34-569E, 34-608B, 34-609B, and 34-13582 when combined shall not exceed a total diversion rate of 5.83 cfs.
3. Rights 34-7A, 34-8A, 34-10634, 34-13581, 34-18, 34-19, 34-20A, 34-253B, 34-569E, 34-608B, 34-609B, and 34-13582 when combined shall not exceed a total diversion rate of 7.98 cfs and the irrigation of 568.7 acres.
4. Rights 34-2377, 34-889, 34-486A, 34-7A, 34-8A, 34-18, 34-19, 34-20A, 34-253B, 34-569E, 34-608B, 34-609B, 34-10634, 34-13581 and 34-13582 when combined shall not exceed a total diversion rate of 11.18 cfs and the irrigation of 637 acres.

Transfer No. 84777

WATER RIGHT NO. 34-569E
As Modified by Transfer No. 84777

CONDITIONS OF APPROVAL

5. Rights 34-7054A, 34-7A, 34-8A, 34-18, 34-19, 34-20A, 34-253B, 34-569E, 34-608B, 34-609B, 34-10634, 34-13581 and 34-13582 when combined shall not exceed a total diversion rate of 13.84 cfs and the irrigation of 637.7 acres.
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 the McGowan and Burnett Ditches.
8. Right No. 34-13582 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
9. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 34-7A**As Modified by Transfer No. 84777**

In accordance with the approval of Transfer No. 84777, Water Right No. 34-7A is now described as follows:

Right Holder: BRETT WILLIAMS
3962 N 3580 W
MOORE, ID 83255-8740

Priority Date: 2/3/1903

Source: PASS CREEK

Tributary: BIG LOST RIVER

BENEFICIAL USE
IRRIGATION

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

Diversion Rate
0.540 cfs
0.540 cfs

LOCATION OF POINT(S) OF DIVERSION

PASS CREEK NESW Sec 26 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	26E	5											61.2	48.0					109.2
													L 4	L 5					
06N	26E	6																40.0	40.0
06N	26E	7	38.0																38.0
06N	26E	8					40.0	40.0	40.0	40.0	13.0	10.0	40.0						223.0
06N	26E	17						40.0	40.0			40.0	38.5						158.5

Right Acre Limit: 27.0
POU Total Acres: 568.7

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 27.0 acres within the authorized place of use in a single irrigation season.
2. Rights 34-7A, 34-8A, 34-10634, and 34-13581 when combined shall not exceed a total diversion rate of 2.15 cfs and the irrigation of 356.0 acres.
3. Rights 34-7A, 34-8A, 34-10634, 34-13581, 34-18, 34-19, 34-20A, 34-253B, 34-569E, 34-608B, 34-609B, and 34-13582 when combined shall not exceed a total diversion rate of 7.98 cfs and the irrigation of 568.7 acres.
4. Rights 34-2377, 34-889, 34-486A, 34-7A, 34-8A, 34-18, 34-19, 34-20A, 34-253B, 34-569E, 34-608B, 34-609B, 34-10634, 34-13581 and 34-13582 when combined shall not exceed a total diversion rate of 11.18 cfs and the irrigation of 637 acres.

Transfer No. 84777

WATER RIGHT NO. 34-7A
As Modified by Transfer No. 84777

CONDITIONS OF APPROVAL

5. Rights 34-7054A, 34-7A, 34-8A, 34-18, 34-19, 34-20A, 34-253B, 34-569E, 34-608B, 34-609B, 34-10634, 34-13581 and 34-13582 when combined shall not exceed a total diversion rate of 13.84 cfs and the irrigation of 637.7 acres.
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. Right No. 34-13581 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
8. Water is delivered through the Fury Ditch.
9. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 34-8A
As Modified by Transfer No. 84777

In accordance with the approval of Transfer No. 84777, Water Right No. 34-8A is now described as follows:

Right Holder: BRETT WILLIAMS
 3962 N 3580 W
 MOORE, ID 83255-8740

Priority Date: 5/8/1907

Source: PASS 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	0.200 cfs 0.200 cfs

LOCATION OF POINT(S) OF DIVERSION

PASS CREEK NESW Sec 26 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	26E	5											61.2	48.0					109.2
													L 4	L 5					
06N	26E	6																40.0	40.0
06N	26E	7	38.0																38.0
06N	26E	8					40.0	40.0	40.0	40.0	13.0	10.0	40.0						223.0
06N	26E	17						40.0	40.0			40.0	38.5						158.5

Right Acre Limit: 10.0

POU Total Acres: 568.7

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 10 acres within the authorized place of use in a single irrigation season.
2. Rights 34-7A, 34-8A, 34-10634, and 34-13581 when combined shall not exceed a total diversion rate of 2.15 cfs and the irrigation of 356.0 acres.
3. Rights 34-7A, 34-8A, 34-10634, 34-13581, 34-18, 34-19, 34-20A, 34-253B, 34-569E, 34-608B, 34-609B, and 34-13582 when combined shall not exceed a total diversion rate of 7.98 cfs and the irrigation of 568.7 acres.
4. Rights 34-2377, 34-889, 34-486A, 34-7A, 34-8A, 34-18, 34-19, 34-20A, 34-253B, 34-569E, 34-608B, 34-609B, 34-10634, 34-13581 and 34-13582 when combined shall not exceed a total diversion rate of 11.18 cfs and the irrigation of 637 acres.

Transfer No. 84777

WATER RIGHT NO. 34-8A
As Modified by Transfer No. 84777

CONDITIONS OF APPROVAL

5. Rights 34-7054A, 34-7A, 34-8A, 34-18, 34-19, 34-20A, 34-253B, 34-569E, 34-608B, 34-609B, 34-10634, 34-13581 and 34-13582 when combined shall not exceed a total diversion rate of 13.84 cfs and the irrigation of 637.7 acres.
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 the Fury Ditch.
8. Right No. 34-13581 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
9. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 34-13581**As Modified by Transfer No. 84777**

In accordance with the approval of Transfer No. 84777, Water Right No. 34-13581 is now described as follows:

Right Holder: BRETT WILLIAMS
3962 N 3580 W
MOORE, ID 83255-8740

Priority Date: 3/28/1974

Source: PASS CREEK

Tributary: BIG LOST RIVER

BENEFICIAL USE
IRRIGATION

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

Diversion Rate
1,500 cfs
1,500 cfs

LOCATION OF POINT(S) OF DIVERSION

PASS CREEK NESW Sec 26 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	26E	5											60.0	35.0					95.0
06N	26E	6																40.0	40.0
06N	26E	7	38.0																38.0
06N	26E	8					40.0	40.0	40.0	40.0	13.0	10.0							183.0

POU Total Acres: 356.0

CONDITIONS OF APPROVAL

1. Rights 34-7A, 34-8A, 34-10634, and 34-13581 when combined shall not exceed a total diversion rate of 2.15 cfs and the irrigation of 356.0 acres.
2. Rights 34-7A, 34-8A, 34-10634, 34-13581, 34-18, 34-19, 34-20A, 34-253B, 34-569E, 34-608B, 34-609B, and 34-13582 when combined shall not exceed a total diversion rate of 7.98 cfs and the irrigation of 568.7 acres.
3. Rights 34-2377, 34-889, 34-486A, 34-7A, 34-8A, 34-18, 34-19, 34-20A, 34-253B, 34-569E, 34-608B, 34-609B, 34-10634, 34-13581 and 34-13582 when combined shall not exceed a total diversion rate of 11.18 cfs and the irrigation of 637 acres.
4. Rights 34-7054A, 34-7A, 34-8A, 34-18, 34-19, 34-20A, 34-253B, 34-569E, 34-608B, 34-609B, 34-10634, 34-13581 and 34-13582 when combined shall not exceed a total diversion rate of 13.84 cfs and the irrigation of 637.7 acres.

Transfer No. 84777

WATER RIGHT NO. 34-13581

As Modified by Transfer No. 84777

CONDITIONS OF APPROVAL

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 Fury Ditch.
7. This right is for an enlargement of 248.5 acres within the place of use described for this right.
8. This right is based upon an enlargement of Right No. 34-7A, 34-8A, and 34-10634 pursuant to Section 42-1426, Idaho Code.
9. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 34-13582**As Modified by Transfer No. 84777**

In accordance with the approval of Transfer No. 84777, Water Right No. 34-13582 is now described as follows:

Right Holder: BRETT WILLIAMS
3962 N 3580 W
MOORE, ID 83255-8740

Priority Date: 3/28/1974

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE	From	To	Diversion Rate
IRRIGATION	5/01	to 10/15	2.840 cfs 2.840 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER	SWSESW	Sec 11 Twp 06N Rge 25E	CUSTER County
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	26E	5											61.2	48.0					109.2
													L 4	L 5					
06N	26E	6																40.0	40.0
06N	26E	7	38.0																38.0
06N	26E	8					40.0	40.0	40.0	40.0	13.0	10.0	40.0						223.0
06N	26E	17						40.0	40.0			40.0	38.5						158.5

Right Acre Limit: 277.2

POU Total Acres: 568.7

CONDITIONS OF APPROVAL

1. Rights 34-18, 34-19, 34-20A, 34-253B, 34-569E, 34-608B, 34-609B, and 34-13582 when combined shall not exceed a total diversion rate of 5.83 cfs.
2. Rights 34-7A, 34-8A, 34-10634, 34-13581, 34-18, 34-19, 34-20A, 34-253B, 34-569E, 34-608B, 34-609B, and 34-13582 when combined shall not exceed a total diversion rate of 7.98 cfs and the irrigation of 568.7 acres.
3. Rights 34-2377, 34-889, 34-486A, 34-7A, 34-8A, 34-18, 34-19, 34-20A, 34-253B, 34-569E, 34-608B, 34-609B, 34-10634, 34-13581 and 34-13582 when combined shall not exceed a total diversion rate of 11.18 cfs and the irrigation of 637 acres.

Transfer No. 84777

WATER RIGHT NO. 34-13582

As Modified by Transfer No. 84777

CONDITIONS OF APPROVAL

4. Rights 34-7054A, 34-7A, 34-8A, 34-18, 34-19, 34-20A, 34-253B, 34-569E, 34-608B, 34-609B, 34-10634, 34-13581 and 34-13582 when combined shall not exceed a total diversion rate of 13.84 cfs and the irrigation of 637.7 acres.
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 McGowan and Burnett Ditches.
7. This right is for an enlargement of 277.2 acres within the place of use described for this right.
8. This right is based upon an enlargement of Right Nos. 34-18, 34-19, 34-20A, 34-253B, 34-569E, 34-608B, and 34-609B pursuant to Section 42-1426, Idaho Code.
9. This water right is subordinate to all water rights with a priority date earlier than April 12, 1994, that are not decreed as enlargements pursuant to Section 42-1426, Idaho Code. As between water rights decreed as enlargements pursuant to Section 42-1426, Idaho Code, the earlier priority right is the superior right.
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 determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 34-608B**As Modified by Transfer No. 84777**

In accordance with the approval of Transfer No. 84777, Water Right No. 34-608B is now described as follows:

Right Holder: BRETT WILLIAMS
3962 N 3580 W
MOORE, ID 83255-8740

Priority Date: 6/30/1888

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE
IRRIGATION

From
5/01

To
to 10/15

Diversion Rate
0.240 cfs
0.240 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER SWSESW Sec 11 Twp 06N Rge 25E CUSTER County
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	26E	5											61.2	48.0					109.2
													L 4	L 5					
06N	26E	6																40.0	40.0
06N	26E	7	38.0																38.0
06N	26E	8					40.0	40.0	40.0	40.0	13.0	10.0	40.0						223.0
06N	26E	17						40.0	40.0			40.0	38.5						158.5

Right Acre Limit: 11.8
POU Total Acres: 568.7

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 11.8 acres within the authorized place of use in a single irrigation season.
2. Rights 34-18, 34-19, 34-20A, 34-253B, 34-569E, 34-608B, 34-609B, and 34-13582 when combined shall not exceed a total diversion rate of 5.83 cfs.
3. Rights 34-7A, 34-8A, 34-10634, 34-13581, 34-18, 34-19, 34-20A, 34-253B, 34-569E, 34-608B, 34-609B, and 34-13582 when combined shall not exceed a total diversion rate of 7.98 cfs and the irrigation of 568.7 acres.
4. Rights 34-2377, 34-889, 34-486A, 34-7A, 34-8A, 34-18, 34-19, 34-20A, 34-253B, 34-569E, 34-608B, 34-609B, 34-10634, 34-13581 and 34-13582 when combined shall not exceed a total diversion rate of 11.18 cfs and the irrigation of 637 acres.

Transfer No. 84777

WATER RIGHT NO. 34-608B
As Modified by Transfer No. 84777

CONDITIONS OF APPROVAL

5. Rights 34-7054A, 34-7A, 34-8A, 34-18, 34-19, 34-20A, 34-253B, 34-569E, 34-608B, 34-609B, 34-10634, 34-13581 and 34-13582 when combined shall not exceed a total diversion rate of 13.84 cfs and the irrigation of 637.7 acres.
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 the McGowan and Burnett Ditches.
8. Right No. 34-13582 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
9. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 34-609B**As Modified by Transfer No. 84777**

In accordance with the approval of Transfer No. 84777, Water Right No. 34-609B is now described as follows:

Right Holder: BRETT WILLIAMS
3962 N 3580 W
MOORE, ID 83255-8740

Priority Date: 6/30/1896

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	0.240 cfs 0.240 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER	SWSESW	Sec 11 Twp 06N Rge 25E	CUSTER County
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	26E	5											61.2	48.0					109.2
													L 4	L 5					
06N	26E	6																40.0	40.0
06N	26E	7	38.0																38.0
06N	26E	8					40.0	40.0	40.0	40.0	13.0	10.0	40.0						223.0
06N	26E	17						40.0	40.0			40.0	38.5						158.5

Right Acre Limit: 11.8
POU Total Acres: 568.7

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 11.8 acres within the authorized place of use in a single irrigation season.
2. Rights 34-18, 34-19, 34-20A, 34-253B, 34-569E, 34-608B, 34-609B, and 34-13582 when combined shall not exceed a total diversion rate of 5.83 cfs.
3. Rights 34-7A, 34-8A, 34-10634, 34-13581, 34-18, 34-19, 34-20A, 34-253B, 34-569E, 34-608B, 34-609B, and 34-13582 when combined shall not exceed a total diversion rate of 7.98 cfs and the irrigation of 568.7 acres.
4. Rights 34-2377, 34-889, 34-486A, 34-7A, 34-8A, 34-18, 34-19, 34-20A, 34-253B, 34-569E, 34-608B, 34-609B, 34-10634, 34-13581 and 34-13582 when combined shall not exceed a total diversion rate of 11.18 cfs and the irrigation of 637 acres.

Transfer No. 84777

WATER RIGHT NO. 34-609B
As Modified by Transfer No. 84777

CONDITIONS OF APPROVAL

5. Rights 34-7054A, 34-7A, 34-8A, 34-18, 34-19, 34-20A, 34-253B, 34-569E, 34-608B, 34-609B, 34-10634, 34-13581 and 34-13582 when combined shall not exceed a total diversion rate of 13.84 cfs and the irrigation of 637.7 acres.
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 the McGowan and Burnett Ditches.
8. Right No. 34-13582 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
9. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 34-10634**As Modified by Transfer No. 84777**

In accordance with the approval of Transfer No. 84777, Water Right No. 34-10634 is now described as follows:

Right Holder: BRETT WILLIAMS
3962 N 3580 W
MOORE, ID 83255-8740

Priority Date: 5/1/1908

Source: PASS CREEK

Tributary: BIG LOST RIVER

BENEFICIAL USE
IRRIGATION

From
5/01

To
to 10/15

Diversion Rate
1.410 cfs
1.410 cfs

LOCATION OF POINT(S) OF DIVERSION

PASS CREEK

NESW

Sec 26 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	26E	5											61.2	48.0					109.2
													L 4	L 5					
06N	26E	6																40.0	40.0
06N	26E	7	38.0																38.0
06N	26E	8					40.0	40.0	40.0	40.0	13.0	10.0	40.0						223.0
06N	26E	17						40.0	40.0			40.0	38.5						158.5

Right Acre Limit: 70.5

POU Total Acres: 568.7

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 70.5 acres within the authorized place of use in a single irrigation season.
2. Rights 34-7A, 34-8A, 34-10634, and 34-13581 when combined shall not exceed a total diversion rate of 2.15 cfs and the irrigation of 356.0 acres.
3. Rights 34-7A, 34-8A, 34-10634, 34-13581, 34-18, 34-19, 34-20A, 34-253B, 34-569E, 34-608B, 34-609B, and 34-13582 when combined shall not exceed a total diversion rate of 7.98 cfs and the irrigation of 568.7 acres.
4. Rights 34-2377, 34-889, 34-486A, 34-7A, 34-8A, 34-18, 34-19, 34-20A, 34-253B, 34-569E, 34-608B, 34-609B, 34-10634, 34-13581 and 34-13582 when combined shall not exceed a total diversion rate of 11.18 cfs and the irrigation of 637 acres.

Transfer No. 84777

WATER RIGHT NO. 34-10634
As Modified by Transfer No. 84777

CONDITIONS OF APPROVAL

5. Rights 34-7054A, 34-7A, 34-8A, 34-18, 34-19, 34-20A, 34-253B, 34-569E, 34-608B, 34-609B, 34-10634, 34-13581 and 34-13582 when combined shall not exceed a total diversion rate of 13.84 cfs and the irrigation of 637.7 acres.
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 the Fury Ditch.
8. Right No. 34-13581 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
9. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 34-19**As Modified by Transfer No. 84777**

In accordance with the approval of Transfer No. 84777, Water Right No. 34-19 is now described as follows:

Right Holder: BRETT WILLIAMS
3962 N 3580 W
MOORE, ID 83255-8740

Priority Date: 6/23/1913

Source: BIG LOST RIVER **Tributary:** SINKS

BENEFICIAL USE **From** **To** **Diversion Rate**
IRRIGATION 5/01 to 10/15 1.420 cfs
1.420 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER SWSESW Sec 11 Twp 06N Rge 25E CUSTER County
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	26E	5											61.2	48.0					109.2
													L 4	L 5					
06N	26E	6																40.0	40.0
06N	26E	7	38.0																38.0
06N	26E	8					40.0	40.0	40.0	40.0	13.0	10.0	40.0						223.0
06N	26E	17						40.0	40.0			40.0	38.5						158.5

Right Acre Limit: 70.9
POU Total Acres: 568.7

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 70.9 acres within the authorized place of use in a single irrigation season.
2. Rights 34-18, 34-19, 34-20A, 34-253B, 34-569E, 34-608B, 34-609B, and 34-13582 when combined shall not exceed a total diversion rate of 5.83 cfs.
3. Rights 34-7A, 34-8A, 34-10634, 34-13581, 34-18, 34-19, 34-20A, 34-253B, 34-569E, 34-608B, 34-609B, and 34-13582 when combined shall not exceed a total diversion rate of 7.98 cfs and the irrigation of 568.7 acres.
4. Rights 34-2377, 34-889, 34-486A, 34-7A, 34-8A, 34-18, 34-19, 34-20A, 34-253B, 34-569E, 34-608B, 34-609B, 34-10634, 34-13581 and 34-13582 when combined shall not exceed a total diversion rate of 11.18 cfs and the irrigation of 637 acres.

Transfer No. 84777

WATER RIGHT NO. 34-19
As Modified by Transfer No. 84777

CONDITIONS OF APPROVAL

5. Rights 34-7054A, 34-7A, 34-8A, 34-18, 34-19, 34-20A, 34-253B, 34-569E, 34-608B, 34-609B, 34-10634, 34-13581 and 34-13582 when combined shall not exceed a total diversion rate of 13.84 cfs and the irrigation of 637.7 acres.
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 the McGowan and Burnett Ditches.
8. Right No. 34-13582 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
9. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

WATER RIGHT NO. 34-253B
As Modified by Transfer No. 84777

In accordance with the approval of Transfer No. 84777, Water Right No. 34-253B is now described as follows:

Right Holder: BRETT WILLIAMS
 3962 N 3580 W
 MOORE, ID 83255-8740

Priority Date: 9/14/1886

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE

IRRIGATION

From

5/01

To

to 10/15

Diversion Rate

1.260 cfs

1.260 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER
 BIG LOST RIVER

SWSESW
 SENWNW

Sec 11 Twp 06N Rge 25E CUSTER County
 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	26E	5											61.2	48.0					109.2
													L 4	L 5					
06N	26E	6																40.0	40.0
06N	26E	7	38.0																38.0
06N	26E	8					40.0	40.0	40.0	40.0	13.0	10.0	40.0						223.0
06N	26E	17						40.0	40.0			40.0	38.5						158.5

Right Acre Limit: 63.0

POU Total Acres: 568.7

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 63 acres within the authorized place of use in a single irrigation season.
2. Rights 34-18, 34-19, 34-20A, 34-253B, 34-569E, 34-608B, 34-609B, and 34-13582 when combined shall not exceed a total diversion rate of 5.83 cfs.
3. Rights 34-7A, 34-8A, 34-10634, 34-13581, 34-18, 34-19, 34-20A, 34-253B, 34-569E, 34-608B, 34-609B, and 34-13582 when combined shall not exceed a total diversion rate of 7.98 cfs and the irrigation of 568.7 acres.
4. Rights 34-2377, 34-889, 34-486A, 34-7A, 34-8A, 34-18, 34-19, 34-20A, 34-253B, 34-569E, 34-608B, 34-609B, 34-10634, 34-13581 and 34-13582 when combined shall not exceed a total diversion rate of 11.18 cfs and the irrigation of 637 acres.

Transfer No. 84777

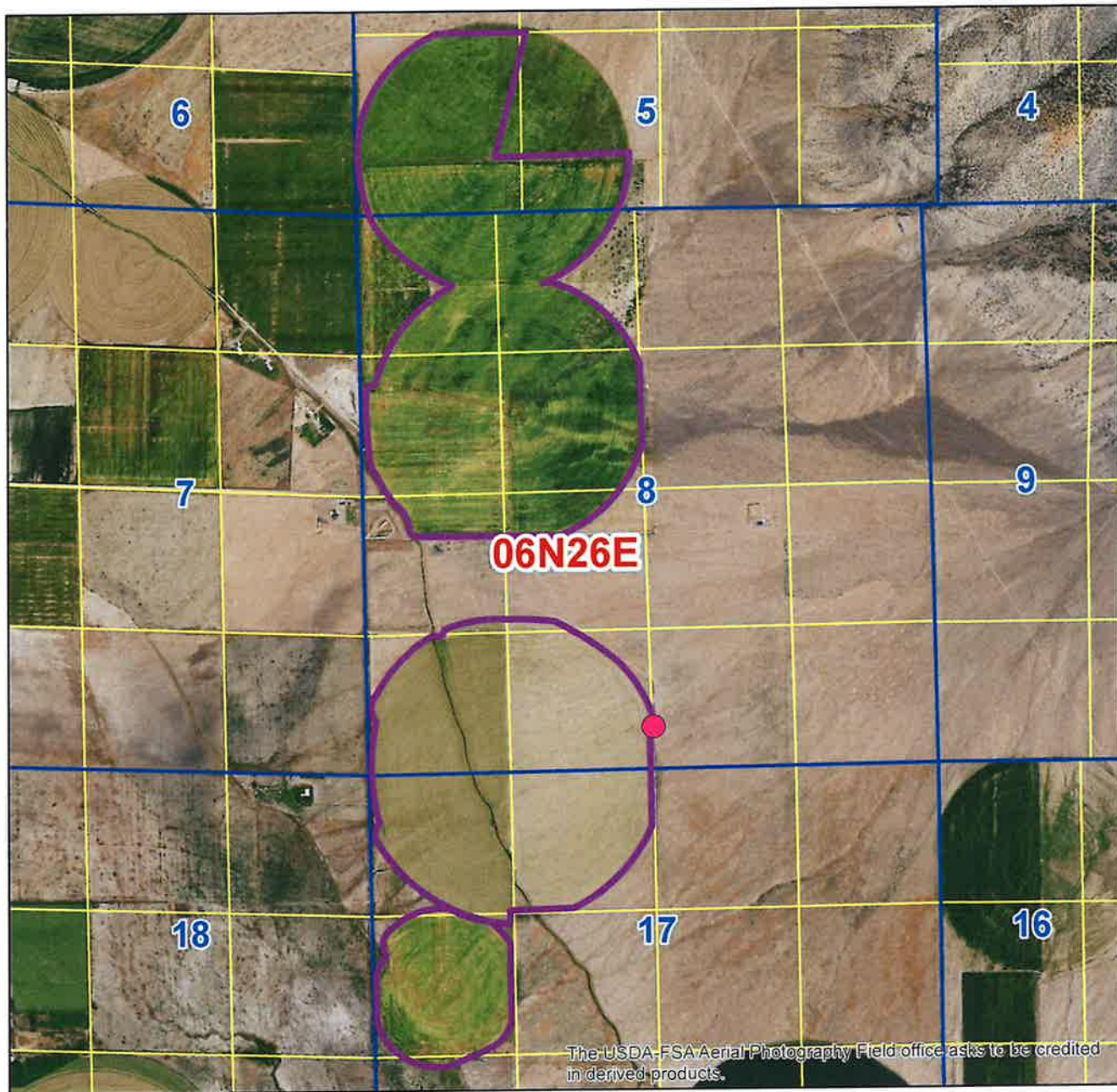
WATER RIGHT NO. 34-253B
As Modified by Transfer No. 84777

CONDITIONS OF APPROVAL

5. Rights 34-7054A, 34-7A, 34-8A, 34-18, 34-19, 34-20A, 34-253B, 34-569E, 34-608B, 34-609B, 34-10634, 34-13581 and 34-13582 when combined shall not exceed a total diversion rate of 13.84 cfs and the irrigation of 637.7 acres.
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 the McGowan and Burnett Ditches.
8. Right No. 34-13582 is an enlargement of this right pursuant to Section 42-1426, Idaho Code.
9. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Attachment to Transfer Approval 84777

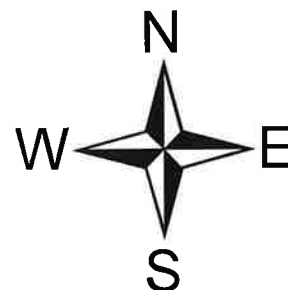
This map depicts the place of use boundary at the time of this transfer approval and is attached to the approval document solely for illustrative purposes.



Legend

- WR POD
- WR POU
- Township/Range
- Sections
- QQ

0 875 1,750 3,500 Feet



Date: 10/29/2021



IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

October 29, 2021

TRUDY WILLIAMS
BRETT WILLIAMS
3962 N 3580 W
MOORE ID 83255-8740

Re: Transfer No: 84777
Water Right No(s): 34-7A , 34-8A , 34-18, 34-19, 34-20A , 34-253B , 34-569E , 34-608B , 34-609B , 34-7054A , 34-10634, 34-13581, 34-13582

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,



Christina Henman
Administrative Assistant

Enclosure

CC:

ROCKY MOUNTAIN ENVIRONMENTAL ASSOC INC
C/O KRISTIN MOORE
482 CONSTITUTION WAY STE 303
IDAHO FALLS ID 83402-3552

IDAHO AGCREDIT PCA
PO BOX 985
BLACKFOOT ID 83221-0985

CERTIFICATE OF SERVICE

I hereby certify that on October 29, 2021 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.: 84777

**Water Right No(s): 34-7A , 34-8A , 34-18, 34-19, 34-20A , 34-253B , 34-569E,
34-608B , 34-609B , 34-7054A , 34-10634, 34-13581, 34-13582**

**TRUDY WILLIAMS
BRETT WILLIAMS
3962 N 3580 W
MOORE ID 83255-8740**

**ROCKY MOUNTAIN ENVIRONMENTAL ASSOC INC
C/O KRISTIN MOORE
482 CONSTITUTION WAY STE 303
IDAHO FALLS ID 83402-3552**

**IDAHO AGCREDIT PCA
PO BOX 985
BLACKFOOT ID 83221-0985**



**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.