

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

**TRANSFER OF WATER RIGHT
TRANSFER NO. 83703**

This is to certify that: JAMES A RINDFLEISCH
3258 N 3350 W
MOORE, ID 83255-8761

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>
34-13665	WR/DECREED	5/20/1884	0.390 cfs	N/A	37.0	92.4	BIG LOST RIVER
34-14299	WR/DECREED	6/1/1880	0.150 cfs	N/A	7.6	92.4	BIG LOST RIVER
34-14301	WR/DECREED	10/2/1885	1.160 cfs	N/A	55.4	92.4	BIG LOST RIVER

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>
34-14297	WR/DECREED	3/16/1923	1.440 cfs	N/A		92.4	FERRIS SLOUGH

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>
34-13665	NO	NO	YES	NO	NO	YES
34-14299	NO	NO	YES	NO	NO	YES
34-14301	NO	NO	YES	NO	NO	YES

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>
34-13665	34-13665	0.390 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
34-14299	34-14299	0.150 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
34-14301	34-14301	1.160 cfs	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
COMBINED TOTALS		1.700 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A

**Support Data
In File # 34-13665**

Transfer No. 83703

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT
TRANSFER NO. 83703

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 9th day of March, 2020.



Regional Manager



WATER RIGHT NO. 34-13665
As Modified by Transfer No. 83703

In accordance with the approval of Transfer No. 83703, Water Right No. 34-13665 is now described as follows:

Right Holder: JAMES A RINDFLEISCH
 3258 N 3350 W
 MOORE, ID 83255-8761

Priority Date: 5/20/1884

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE

GROUND WATER RECHARGE

From

05/01

to 10/15

To

Diversion Rate

0.390 cfs

0.390 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER

NWNW

Sec 26 Twp 04N Rge 26E BUTTE County

PLACE OF USE: GROUND WATER RECHARGE

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	26E	26	X	X															

CONDITIONS OF APPROVAL

1. Water rights 34-13665, 34-14299, and 34-14301 mitigate for the depletion of water resulting from the diversion and use of water under water right 34-7511.
2. Ground water recharge is accomplished by diverting water under this right into an infiltration area that allows water to percolate into the underlying aquifer. To prevent the unauthorized above ground storage of water, the amount of water diverted and used for recharge under this right shall not exceed the actual infiltration capacity.
3. The right holder shall not receive any carryover credit from one year to the next for any volume of surface water recharged under water rights 34-13665, 34-14299, and 34-14301.
4. Ground water shall not be diverted under water right 34-7511 until an equivalent amount of surface water has been diverted into the recharge site under water rights 34-13665, 34-14299, and 34-14301 in the same year. The volume of ground water that may be diverted for irrigation under water right 34-7511 in any irrigation season shall not exceed the volume of surface water diverted into the recharge site during the same year.
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.

Transfer No. 83703

WATER RIGHT NO. 34-13665
As Modified by Transfer No. 83703

CONDITIONS OF APPROVAL

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. Prior to the diversion and use of water under Transfer 83703, the right holder shall install and maintain an acceptable measuring device at the point of delivery into the infiltration area used for ground water recharge, in accordance with Department specifications to determine the amount of water recharged annually and shall report the diversion volume to the Department by December 31 each year.
8. Water is delivered to recharge site through Arco Canal.
9. The period of use 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.
10. This right does not grant any right-of-way or easement across the land of another.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. 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. 34-14299 **As Modified by Transfer No. 83703**

In accordance with the approval of Transfer No. 83703, Water Right No. 34-14299 is now described as follows:

Right Holder: JAMES A RINDFLEISCH
 3258 N 3350 W
 MOORE, ID 83255-8761

Priority Date: 6/1/1880

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE

GROUND WATER RECHARGE

From

05/01

to 10/15

To

Diversion Rate

0.150 cfs

0.150 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER

NWNWNW

Sec 26 Twp 04N Rge 26E BUTTE County

PLACE OF USE: GROUND WATER RECHARGE

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	26E	26	X	X															

CONDITIONS OF APPROVAL

1. Water rights 34-13665, 34-14299, and 34-14301 mitigate for the depletion of water resulting from the diversion and use of water under water right 34-7511.
2. Ground water recharge is accomplished by diverting water under this right into an infiltration area that allows water to percolate into the underlying aquifer. To prevent the unauthorized above ground storage of water, the amount of water diverted and used for recharge under this right shall not exceed the actual infiltration capacity.
3. The right holder shall not receive any carryover credit from one year to the next for any volume of surface water recharged under water rights 34-13665, 34-14299, and 34-14301.
4. Ground water shall not be diverted under water right 34-7511 until an equivalent amount of surface water has been diverted into the recharge site under water rights 34-13665, 34-14299, and 34-14301 in the same year. The volume of ground water that may be diverted for irrigation under water right 34-7511 in any irrigation season shall not exceed the volume of surface water diverted into the recharge site during the same year.
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.

Transfer No. 83703

WATER RIGHT NO. 34-14299
As Modified by Transfer No. 83703

CONDITIONS OF APPROVAL

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. Prior to the diversion and use of water under Transfer 83703, the right holder shall install and maintain an acceptable measuring device at the point of delivery into the infiltration area used for ground water recharge, in accordance with Department specifications to determine the amount of water recharged annually and shall report the diversion volume to the Department by December 31 each year.
8. Water is delivered to recharge site through Arco Canal.
9. The period of use 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.
10. This right does not grant any right-of-way or easement across the land of another.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. 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. 34-14301
As Modified by Transfer No. 83703

In accordance with the approval of Transfer No. 83703, Water Right No. 34-14301 is now described as follows:

Right Holder: JAMES A RINDFLEISCH
 3258 N 3350 W
 MOORE, ID 83255-8761

Priority Date: 10/2/1885

Source: BIG LOST RIVER

Tributary: SINKS

BENEFICIAL USE	From	To	Diversion Rate
GROUND WATER RECHARGE	05/01	to 10/15	1.160 cfs
			1.160 cfs

LOCATION OF POINT(S) OF DIVERSION

BIG LOST RIVER NWNWNW Sec 26 Twp 04N Rge 26E BUTTE County

PLACE OF USE: GROUND WATER RECHARGE

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	26E	26	X	X															

CONDITIONS OF APPROVAL

1. Water rights 34-13665, 34-14299, and 34-14301 mitigate for the depletion of water resulting from the diversion and use of water under water right 34-7511.
2. Ground water recharge is accomplished by diverting water under this right into an infiltration area that allows water to percolate into the underlying aquifer. To prevent the unauthorized above ground storage of water, the amount of water diverted and used for recharge under this right shall not exceed the actual infiltration capacity.
3. The right holder shall not receive any carryover credit from one year to the next for any volume of surface water recharged under water rights 34-13665, 34-14299, and 34-14301.
4. Ground water shall not be diverted under water right 34-7511 until an equivalent amount of surface water has been diverted into the recharge site under water rights 34-13665, 34-14299, and 34-14301 in the same year. The volume of ground water that may be diverted for irrigation under water right 34-7511 in any irrigation season shall not exceed the volume of surface water diverted into the recharge site during the same year.
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.

Transfer No. 83703

WATER RIGHT NO. 34-14301
As Modified by Transfer No. 83703

CONDITIONS OF APPROVAL

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. Prior to the diversion and use of water under Transfer 83703, the right holder shall install and maintain an acceptable measuring device at the point of delivery into the infiltration area used for ground water recharge, in accordance with Department specifications to determine the amount of water recharged annually and shall report the diversion volume to the Department by December 31 each year.
8. Water is delivered to recharge site through Arco Canal.
9. The period of use 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.
10. This right does not grant any right-of-way or easement across the land of another.
11. The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
12. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
13. 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. 34-14297

As Modified by Transfer No. 83703

In accordance with the approval of Transfer No. 83703, Water Right No. 34-14297 is now described as follows:

Right Holder: JAMES A RINDFLEISCH
3258 N 3350 W
MOORE, ID 83255-8761

Priority Date: 3/16/1923

Source: FERRIS SLOUGH

Tributary: BIG LOST RIVER

BENEFICIAL USE
IRRIGATION

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

Diversion Rate
1.440 cfs
1.440 cfs

LOCATION OF POINT(S) OF DIVERSION

FERRIS SLOUGH NENWSE Sec 7 Twp 03N Rge 27E 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	
03N	27E	18		12.3	36.0	12.0	32.1													92.4

POU Total Acres: 92.4

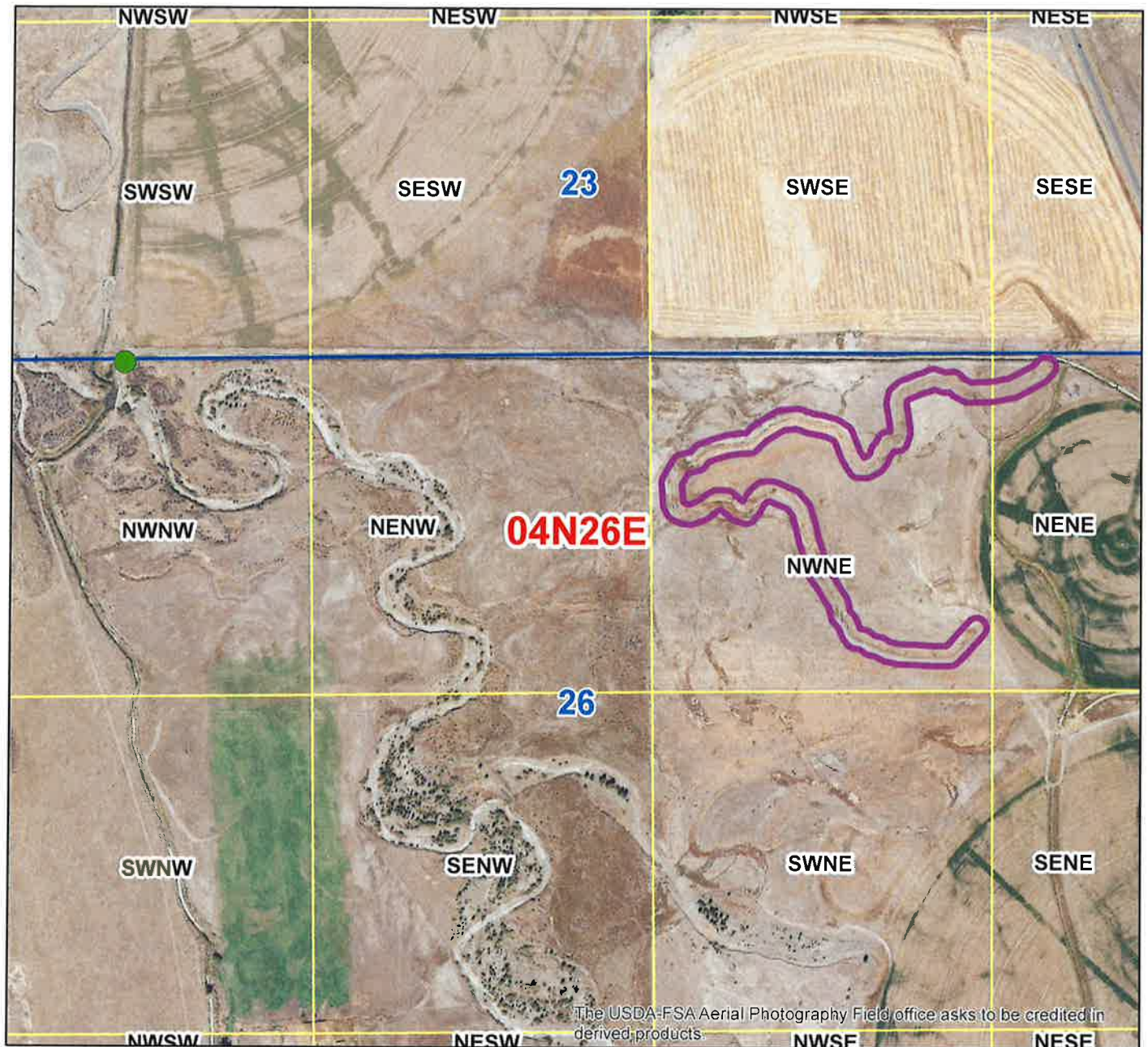
CONDITIONS OF APPROVAL

1. Rights 34-14297 and 34-7511 when combined shall not exceed a total diversion rate of 1.85 cfs and the irrigation of 92.4 acres.
2. 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.
3. The approval of this transfer redefines all of the elements of this water right, and the new use of water authorized by this approval shall constitute the full extent of the right.
4. 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.





Transfer No. 83703

Attachment to Transfer Approval 83703

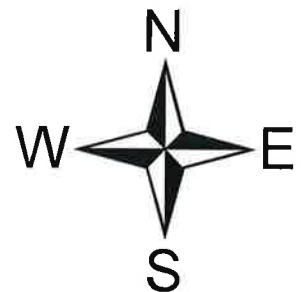
This map depicts the place of use boundary at the time of this transfer approval and is attached to the approval document solely for illustrative purposes.



Legend

-  Water Right POD
-  Water Right POU
-  Township/Range
-  Sections
-  QQ

0 375 750 1,500 Feet



Date: 3/9/2020



State of 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

Website: idwr.idaho.gov • Email: easterninfo@idwr.idaho.gov

BRAD LITTLE
Governor

GARY SPACKMAN
Director

March 9, 2020

JAMES A RINDFLEISCH
3258 N 3350 W
MOORE ID 83255-8761

Re: Transfer No: 83703
Water Right No(s): 34-13665, 34-14297, 34-14299, 34-14301

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.

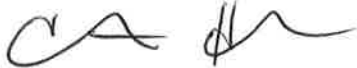
ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and 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' followed by a stylized flourish.

Christina Henman
Administrative Assistant

Enclosure

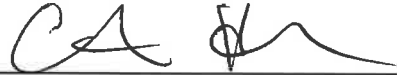
CERTIFICATE OF SERVICE

I hereby certify that on March 9, 2020 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.: 83703

Water Right No(s): 34-13665, 34-14297, 34-14299, 34-14301

**JAMES A RINDFLEISCH
3258 N 3350 W
MOORE ID 83255-8761**

A handwritten signature in black ink, appearing to read 'CA Henman', is written over a horizontal line.

**Christina Henman
Administrative Assistant**