

BEFORE THE DEPARTMENT OF WATER RESC
OF THE STATE OF IDAHO

2003

IN THE MATTER OF APPLICATION)
FOR TEMPORARY CHANGE OF A)
WATER RIGHT Meridith J Dotzenrod)
34-228A, 34-856G)

ORDER AUTHORIZING
TEMPORARY CHANGE TC-34-26

WHEREAS, a drought emergency has been declared for Custer
County to allow administrative actions to lessen the severe impacts of the drought
conditions in the counties; and

WHEREAS, section 42-222A, Idaho Code, provides that upon declaration of a
drought emergency, the director of the Department of Water Resources ("Department")
is authorized to allow temporary changes in the point of diversion, the place of use, and
the purpose of use for valid existing water rights when the director determines that such
changes can be accomplished in accordance with the provisions of section 42-222A,
Idaho Code; and

WHEREAS, on 6/6/03, Meridith J Dotzenrod submitted the attached
Temporary Change Application TC-34-26 to the Department; and

WHEREAS, the Department has reviewed the application and has determined
the application can be approved with certain conditions;

ORDER

IT IS HEREBY ORDERED that the application is APPROVED subject to the
following conditions:

1. Diversion and use of right no(s). 34-228A & 34-856G is authorized only
at the point of diversion and place of use described on the application.
2. This temporary change approval does not authorize construction of a new
well as a new point of diversion.
3. The applicant assumes all risk of curtailment or mitigation should the
diversion and use of water under the temporary change approval cause
injury to other water rights, constitute an enlargement in use of the original
right, be inconsistent with the conservation of water resources within the
state of Idaho, or not be in the local public interest.
4. This temporary change approval may only be used to provide a

STATE OF IDAHO DEPARTMENT OF WATER RESOURCES TEMPORARY CHANGE APPLICATION

(To change point of diversion, place of use or purpose of use)

Name of Applicant MERIDITH DOTZENROD Phone 588-2957

Post Office Address 3776 W 3700 N DUBLINGTON ID 83235

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change purpose of use ☐ Other

2. Describe the proposed change(s) and the reason(s) thereof the change place of use to put water to a more beneficial use due to drought.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>34-002284</u>	<u>6/1/1884</u>	<u>.8 cfs</u>	<u>irrigation</u>	<u>5/1 to 10/15</u>
<u>34-008566</u>	<u>4/20/1884</u>	<u>.8 cfs</u>	<u>irrigation</u>	<u>5/1 to 10/15</u>
<u>34-229</u>	<u>6/1/1894</u>	<u>1.60 cfs</u>	<u>IRRIGATION</u>	<u>5/1 to 10/15</u>
<u>34-360 c</u>	<u>6/1/1887</u>	<u>0.92 cfs</u>	<u>IRRIGATION</u>	<u>5/1 to 10/15</u>

As per phone message

2. Total amount of water being transferred 1.6 (4.12 cfs) cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Big Lost River tributary to sinks
4. Point(s) of Diversion:

Ident No.	Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
		<u>SW</u>	<u>NE</u>		<u>33</u>	<u>7N</u>	<u>24E</u>	<u>Custer</u>	<u>Darlington ditch</u>

5. Lands irrigated or place of use:

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6N	25E	35					38	38	40	40	37								193

Total Acres 193

6. General Information:

- a. Who owns the water right to be changed? HERIVITH J. DOTZENROD
- b. Describe the arrangement allowing use of the right partnership
- c. Describe the affect on the land now irrigated if the change is approved pursuant to this application:
land has been pastured only, not irrigated, for several years
so there will be no change in effect.
- d. Has the water right sought to be transferred been used this year? no If yes, explain.
- e. Absent the changes, how would the right be used for the remainder of the year? not used.
- f. Describe other water rights used for the same purpose.
various 34-00194A 00872A 10729 13567
- g. Remarks: Due to drought conditions I would like to use this
water on irrigated crop lands to put it to beneficial use.

I hereby assume all risk in accordance with Section 42-222A, Idaho Code, and assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in voiding its approval.

Herivith J. Dotzenrod
(Signature of applicant)

FOR DEPARTMENT USE ONLY

Received by HWT Date 6-6-04 Fee \$ 50.00

Receipted HWT # 2028842 Recommend: approve deny

Watermaster recommendation _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Temporary Change Application No. _____

And said application is hereby Approved, subject to the following limitations and conditions:

Witness my hand this 12th day of June, 2003.

H. W. Jones
For the Director

State of Idaho
Department of Water Resources
Transfer of Water Rights

TC-34-26

RECOMMENDATION OF WATERMASTER

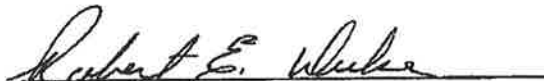
Transfer Application No: Temporary Change 34228A / 34-856G Water Right No(s):

Transfer Applicant's Name: Maridith J. Dotzen Rod
Watermaster's Recommendation:

- a) X I do not oppose approval of this application.
- b) I do not oppose approval of this application if it is conditioned as follows:
- c) I oppose approval of this application for the following reasons:
- d) Additional Comment:

Dated this 9th day of June, 2003

Water District No: 34


Watermaster's Signature



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

Information Only

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 13, 2003

Meridith J. Dotzenrod
3776 W 3700 N
Darlington, ID 83255

RE: Temporary Change TC-34-26

Dear Applicant:

Enclosed is approved temporary change application number TC-34-26. I made the changes to the temporary change application as requested by my supervisor, and agreed to in your telephone message. According to the data base water rights 34-228A, 34-229, 34-360C, and 34-856G are combined to irrigate a total of 193 acres in a single irrigation season (see attached copies.) Water rights 34-228A and 34-856G are limited to 40 acres each within in the total of 193 acres.

In your phone message you indicated that you had previously made a temporary change and excluded water rights 34-229 and 34-360C. According to department records, in the past two years, no approved temporary changes have been issued on water rights 34-228A, 34-229, 34-360A, or 34-856G.

The rules that you referred to in you phone message can be found in Volume 8, Title 42, Section 42-222A (copy attached).

Sincerely,

Keith C. Wilson
Senior Resource Agent

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 34-228A

WATER RIGHT NUMBER: 34-228A

Owner Type Name and Address
 Current Owner MERIDITH J DOTZENROD
 3776 W 3700 N
 DARLINGTON, ID 83255

Priority Date: 06/01/1884

Basis: Decreed

Status: Active

Source Tributary
 BIG LOST RIVER SINKS

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	5/01 to 10/15	0.800 CFS	
	<u>Total Diversion:</u>	0.800 CFS	

Location of Point(s) of Diversion

BIG LOST RIVER SE1/4NW1/4NW1/4 Sec. 34, Twp 07N, Rge 24E, B.M. CUSTER County

Place of Use IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N	26E	20		38.0			39.0			40.0	38.0			38.0					193.0

Total Acres: 193

Conditions of Approval:

1. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
3. S34 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.

Remarks:

1. Explanatory WATER IS DELIVERED THROUGH BURNETT DITCH.
2. Place of Use USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
 - Irrigation OF A COMBINED TOTAL OF 193 ACRES IN A SINGLE IRRIGATION SEASON.
 COMBINED RIGHT NOS.: 34-00229, 34-00360C AND 34-00856G.
 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 40 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Comments:

1. TAYLOR 1/15/1991 CCL
 Comment: NEED TO SEND LETTER EXPLAINING THAT THE DIVERSION IN SECTION 17 IS A DIVERSION FROM THE DITCH AND IS NOT NEEDED ON THE CLAIM BECAUSE IT IS NOT FROM THE BIG LOST RIVER. THE POU WAS CHANGED TO REFLECT WHAT THE CLAIM MAPS AND FIELD INSPECTION SHOWED TO BE THE ACTUAL ACRES IRRIGATED IN 40 ACRE TRACTS. THE ACRES IRRIGATED IN THE SW NW WERE CHANGED TO THE SE NW OF SECTION 20.
2. TAYLOR 8/9/1991 COPIED FROM REMARKS
 Comment: TRANSFER #1001/1069 FIELD HEADGATE FROM BURNETT DITCH IS 06N 26E SEC. 17 SE,NW,SE
3. skeen 5/19/2003 2:01:07 PM Water Right
 Comment: This water right record was updated by decree record from old RightID 27074 to new RightID 201002

Dates and Other Information:

Decreed Date: 1/29/2002
 State or Federal: S
 Water District Number: 34

Civil Case Number: 39576
 Judicial District: FIFTH

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 34-229

WATER RIGHT NUMBER: 34-229

Owner Type Name and Address
 Current Owner MERIDITH J DOTZENROD
 3776 W 3700 N
 DARLINGTON, ID 83255

Priority Date: 06/01/1894 Basis: Decreed Status: Active

Source Tributary
 BIG LOST RIVER SINKS

Beneficial Use From To Diversion Rate Annual Volume
 IRRIGATION 5/01 to 10/15 1.600 CFS

Total Diversion: 1.600 CFS

Location of Point(s) of Diversion

BIG LOST RIVER SE1/4NW1/4NW1/4Sec. 34,Twp 07N,Rge 24E, B.M. CUSTER County

Place of Use IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N 26E 20			38.0				39.0				40.0	38.0			38.0		193.0

Total Acres: 193

Conditions of Approval:

1. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
3. S34 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.

Remarks:

1. Explanatory WATER IS DELIVERED THROUGH BURNETT DITCH.
2. Place of Use USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
 - Irrigation OF A COMBINED TOTAL OF 193 ACRES IN A SINGLE IRRIGATION SEASON.
 COMBINED RIGHT NOS.: 34-00228A, 34-00360 AND 34-00856G.

Comments:

1. TAYLOR 1/15/1991 CCL SEE COMMENTS IN FILE #R34-00228A
2. TAYLOR 8/9/1991 FIELD HEADGATE FROM BURNETT DITCH IS 06N 26E SEC. 17 SE,NW,SE
3. AJU10-DS 6/9/2000 AJU10 CONDITION UPDATE
 Comment: CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

Dates and Other Information:

Decreed Date: 1/29/2002
 State or Federal: S
 Water District Number: 34
 Civil Case Number: 39576
 Judicial District: FIFTH

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 34-360C

WATER RIGHT NUMBER: 34-360C

Owner Type Name and Address
 Current Owner MERIDITH J DOTZENROD
 3776 W 3700 N
 DARLINGTON, ID 83255

Priority Date: 06/01/1887 Basis: Decreed Status: Active

Source Tributary
 BIG LOST RIVER SINKS

Beneficial Use From To Diversion Rate Annual Volume
 IRRIGATION 5/01 to 10/15 0.920 CFS

Total Diversion: 0.920 CFS

Location of Point(s) of Diversion

BIG LOST RIVER SE1/4NW1/4NW1/4 Sec. 34, Twp 07N, Rge 24E, B.M. CUSTER County

Place of Use IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N 26E 20		38.0			39.0			40.0	38.0			38.0					193.0

Total Acres: 193

Conditions of Approval:

1. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
3. S34 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.

Remarks:

1. Explanatory WATER IS DELIVERED THROUGH BURNETT DITCH.
2. Place of Use USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
 - Irrigation OF A COMBINED TOTAL OF 193 ACRES IN A SINGLE IRRIGATION SEASON.
 COMBINED RIGHT NOS.: 34-00228A, 34-00229 AND 34-00856G.
 THIS RIGHT IS LIMITED TO THE IRRIGATION OF 46 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Comments:

1. TAYLOR 1/15/1991 CCL
 Comment: SEE COMMENTS IN FILE #R34-00228A
2. TAYLOR 8/9/1991 COPIED FROM REMARKS
 Comment: TRANSFER #1001/1069 FIELD HEADGATE FROM BURNETT DITCH IS 06N 26E SEC. 17 SE,NW,SE
3. skeen 5/19/2003 2:09:43 PM Water Right
 Comment: This water right record was updated by decree record from old RightID 27246 to new RightID 201006

Dates and Other Information:

Decreed Date: 2/4/2002
 State or Federal: S
 Water District Number: 34
 Civil Case Number: 39576

Judicial District: FIFTH

Water Right Report 34-856G

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MERIDITH J DOTZENROD 3776 W 3700 N DARLINGTON, ID 83255

<u>Source</u>	<u>Tributary</u>
BIG LOST RIVER	SINKS

Total Diversion: 0.800 CFS

BIG LOST RIVER SE1/4NW1/4NW1/4 Sec. 34, Twp 07N, Rge 24E, B.M. CUSTER County

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N 26E 20	38.0				39.0				40.0				38.0				193.0

1. S34 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.
2. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
3. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

1.	Explanatory	WATER IS DELIVERED THROUGH BURNETT DITCH.
2.	Place of Use - Irrigation	USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 193 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 34-00228A, 34-00229 AND 34-00360C. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 40 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

1. TAYLOR 8/9/1991 COPIED FROM REMARKS
Comment: THIS RIGHT IS FILED FOR A PORTION OF DECREED RIGHT 34-00856C OWNED BY CLAIMANT.

2. AJU10-DS 6/9/2000 AJU10 CONDITION UPDATE
Comment: CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

3. skeen 5/19/2003 2:26:18 PM Water Right
Comment: This water right record was updated by decree record from old RightID 198285 to new RightID 382101

Decreed Date: 2/4/2002
State or Federal: S
Water District Number: 34
Civil Case Number: 39576
Judicial District: FIFTH



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 30, 2003

Meridith J. Dotzenrod
3776 W 3700N
Darlington, ID 83255

RE: Temporary Transfer Water rights 34-00228A & 34-00856G

Dear Meridith Dotzenrod:

Enclosed is the original incomplete temporary change application for the above numbered water rights received on May 15, 2003. (A blank temporary change application form is also enclosed for your convenience.)

The following items need to be completed:

1. Part B: Description of Right(s) or Portion Thereof, AFTER THE REQUESTED CHANGE

The legal description is the same as the decreed water rights. Part "B" must describe the new point of diversion and the new place of use.

2. The application requires a \$50.00 filing fee. No fee was received.

On May 19, 2003, I contacted Bob Duke, the water master for Water District 34, and told him the necessary changes and requirements to complete a temporary change application. (Mr. Duke was contacted because the application was sent from his office.) Mr. Duke told me that he would contact you and let you know what was needed.

To file for a temporary transfer sent a completed form and the required \$50.00 filing fee to this office.

Thank you,

Keith C. Wilson
Senior Resource Agent



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 30, 2003

Meridith J. Dotzenrod
3776 W 3700N
Darlington, ID 83255

RE: Temporary Transfer Water rights 34-00228A & 34-00856G

Dear Meridith Dotzenrod:

Enclosed is Check # 1775 for \$50.00 that was received today's in the mail. The check is being returned since the temporary change application was returned in this mornings' mail, and it is best to keep the filing fee with the application.

The enclosed note that accompanied the check was still insufficient information to complete the temporary change application. The two water rights that you propose to change have a combined total of 193 acres. The temporary change must show the number of acres in each $\frac{1}{4}$ - $\frac{1}{4}$ with a total of 193 acres. To assist you I have enclosed an aerial photo of the W $\frac{1}{2}$ of Sec 35, T06N, R25E, with each of the $\frac{1}{4}$ - $\frac{1}{4}$ labeled. Please indicate the place of use by indicating the number of acres per $\frac{1}{4}$ - $\frac{1}{4}$ on the temporary change application. (Also enclosed is a photo of the place of use and how each $\frac{1}{4}$ - $\frac{1}{4}$ relates to the application form.)

In addition the new point of diversion must be described by legal description. As part of that description of the point of diversion also include the local name of the ditch/canal to be used.

To file for a temporary change I recommend that you use the blank form that was included in this morning's letter to make all the necessary changes. To facilitate processing I recommend that the application be made in the name of, and signed by, Meridith J. Dotzenrod.

Upon receipt of a completed temporary change application and the required \$50.00 filing fee processing will begin.

Thank you,

A handwritten signature in blue ink that reads "Keith C. Wilson".

Keith C. Wilson
Senior Resource Agent

STATE OF IDAHO DEPARTMENT OF WATER RESOURCES TEMPORARY CHANGE APPLICATION

(To change point of diversion, place of use or purpose of use)

RECEIVED
MAY 15 2003
Department of Water Resources
Eastern Region

Name of Applicant MIKE DOPENIROD (Meridith, S.) Phone 588-2957
Post Office Address 3776 W 3700 N, DARLINGTON ID

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion
☐ Change purpose of use

☐ Add diversion point(s)
☐ Other

☒ Change place of use

2. Describe the proposed change(s) and the reason(s) thereof move switch water use from old Pate ranch to Smith ranch where it will be put to a more beneficial use due to drought

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

Right Number	Priority	Amount (cfs/sec-ft)	Nature of Use	Period of Use
34-00228A	6/1/1884	.8 cfs	irrigation	5/1 to 10/15
34-00228B	4/30/1884	.8 cfs	irrigation	5/1 to 10/15

2. Total amount of water being transferred 1.6 cubic feet per second and/or acre-feet per annum.
3. Source of Big Lost River tributary to Sinks
4. Point(s) of Diversion:

Ident No.	Lot	%	%	%	Sec	Twp	Rge	County	Local name for diversion
34-00228A		SE	NW	NW	34	7N	24E	Custer	Burnett Ditch
34-00228B		SE	NW	NW	34	7N	24E	Custer	Burnett Ditch

5. Lands irrigated or place of use:

5. Lands irrigated or place of use:																			
Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16N	26E	20		38			39			40	38			38					193

Total Acres 193

6. General Information:

- a. Who owns the water right to be changed? MIKE DOTENROD (Meridith S.)
- b. Describe the arrangement allowing use of the right partnership
- c. Describe the effect on the land now irrigated if the change is approved pursuant to this application:
land has not been irrigated for several years so
there will be no change in effect.
- d. Has the water right sought to be transferred been used this year? No If yes, explain. _____
- e. Absent the changes, how would the right be used for the remainder of the year? not used
- f. Describe other water rights used for the same purpose.
various
- g. Remarks: due to drought conditions I would like to use this
water on irrigated crop land

I hereby assume all risk in accordance with Section 41-212A, Idaho Code, and assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any additional representations made in this application may result in voiding its approval.

Meridith S. Dotenrod
(Signature of applicant)

FOR DEPARTMENT USE ONLY

Received by _____ Date _____ Fee _____
Receipted # _____ Recommendation: _____ approve _____ deny _____
Watermaster recommendation _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Temporary Change Application No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____

For the Director

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 34-872A V2

WATER RIGHT NUMBER: 34-872A V2

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	EDNA BROWN
Current Owner	SCOTT L , DIXIE L WHITWORTH PO BOX 147 MAY, ID 83253 (208)876-4432
Directors Report Owner	DARLINGTON RANCH INC
Original Owner	SMITH RANCHES INC

Priority Date: 02/18/1885

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BIG LOST RIVER	SINKS

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	5/01 to 10/15	2.000 CFS	
STOCKWATER	1/01 to 12/31	1.000 CFS	
	<u>Total Diversion:</u>	2.000 CFS	

Location of Point(s) of Diversion

BIG LOST RIVER SW1/4NE1/4Sec. 33,Twp 07N,Rge 24E, B.M. CUSTER County

Place of Use IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	25E	2		33.0	40.0		37.0	39.0	7.0	33.0									189.0
				L 2			L 3	L 4											
06N	25E	25											9.0						9.0
06N	25E	26												17.0			39.0	30.0	86.0
06N	25E	34	28.0	39.0	40.0	35.0			40.0	40.0					39.0	40.0		39.0	340.0
			L 1			L 2									L 3			L 4	
06N	25E	35					37.0	38.0	40.0	40.0	37.0	40.0	40.0	40.0					312.0

Total Acres: 936

Remarks:

1. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 23.94 CFS. COMBINED RIGHTS: 34-116A,34-2321,34-7015,34-10729,34-10763,34-10765 & 34-10767.
2. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRR OF A COMBINED TOTAL OF 936 AC IN A SINGLE IRR SEASON. COMBINED RIGHTS: 34-116A,34-2321,34-7015 34-10729,34-10763, 34-10765 & 34-10767. THIS RIGHT IS LIMITED TO THE IRR OF 100 AC WITHIN THE POU IN A SINGLE IRRIGATION SEASON.
3. STOCKWATER, 1000 RANGE CATTLE WATER IS DELIVERED THROUGH THE DARLINGTON DITCH.

Comments:

1. TAYLOR 6/5/1991 P/D DARLINGTON DITCH. TRANS 862.
2. TAYLOR 2/7/1992 WATER FROM THE DARLINGTON DITCH AFTER THE IRRIGATION SEASON

Documentation of Ownership of the Current Place of Use Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

Dates and Other Information:

Decreed Date:
State or Federal: S
Water District Number: 34

SubCase:

SubCase Number: 34-872A
Class: 1

SF5 Filed Date:
Special Master Recom Signed Date: 3/4/1998
Attorney Assigned: SARA C DENISTON
Adjudication Agent:
Basis of Claim:
Date Filed: 2/26/1993 Objection Stat

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 34-10729 V2

WATER RIGHT NUMBER: 34-10729 V2

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	SMITH RANCHES INC
Original Owner	EDNA BROWN
Current Owner	SCOTT L, DIXIE L WHITWORTH PO BOX 147 MAY, ID 83253 (208)876-4432
Directors Report Owner	DARLINGTON RANCH INC

Priority Date: 05/10/1897

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
BIG LOST RIVER	SINKS

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	1/01	to 12/31	0.020 CFS	
IRRIGATION	5/01	to 10/15	6.100 CFS	
	<u>Total Diversion:</u>		6.100 CFS	

Location of Point(s) of Diversion

BIG LOST RIVER SW1/4NE1/4Sec. 33,Twp 07N,Rge 24E, B.M. CUSTER County

Place of Use IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N 25E 2		33.0	40.0		37.0	39.0	7.0	33.0									189.0
		L 2			L 3	L 4											
06N 25E 25									9.0								9.0
06N 25E 26									17.0				39.0	30.0			86.0
06N 25E 34	28.0	39.0	40.0	35.0				40.0	40.0				39.0	40.0		39.0	340.0
	L 1			L 2									L 3			L 4	
06N 25E 35					37.0	38.0	40.0	40.0	37.0	40.0	40.0	40.0					312.0

Total Acres: 936

Conditions of Approval:

1. THE PERIOD OF USE FOR IRR 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.

Remarks:

1. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 23.94 CFS. COMBINED RIGHTS.: 34-116A, 34-872A, 34-2321, 34-7015, 34-10763, 34-10765 & 34-10767.
2. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRR OF A COMBINED TOTAL OF 936 AC IN A SINGLE IRRIGATION SEASON. COMBINED RIGHTS.: 34-116A, 34-872A, 34-2321, 34-07015, 34-10763, 34-10765 & 34-10767. THIS RIGHT LIMITED TO THE IRR OF 305 AC W/IN THE POU DESCRIBED IN A SINGLE IRR SEASON.
3. THIS RIGHT IS A COMBINATION OF OLD RIGHT NOS. 34-640A, 34-640B, 34-189, 34-502 & 34-683. STOCKWATER, 1000 RANGE CATTLE WATER IS DELIVERED THROUGH THE DARLINGTON DITCH.

Comments:

1. P/D DARLINGTON DITCH. TRANS 862. THIS RIGHT IS A COMBINATION OF THE FOLLOWING RIGHTS: 34-640A (0.5 CFS) 34-640B (1.6 CFS) 34-189 (1.6 CFS), 34-502 (0.8 CFS) 34-683 (1.6 CFS)
Documentation of Ownership of the Current Place of Use Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 34-10729 V2

Dates and Other Information:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Defendant:

Plaintiff:

Civil Case Number:

Judicial District:

Notice of Error Flag: NO NOTICE - RECOMMENDATION CHANGED

State or Federal: S

Owner Name Connector:

Water District Number: 34

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 34-13567

WATER RIGHT NUMBER: 34-13567

Owner Type Name and Address
 Current Owner SCOTT L WHITWORTH
 BOX 147
 MAY, ID 83253
 (208)876-4432

Priority Date: 05/01/1980

Basis: Decreed

Status: Active

Source Tributary
 BIG LOST RIVER SINKS

Beneficial Use From To Diversion Rate Annual Volume
 IRRIGATION 5/01 to 10/15 4.600 CFS

Total Diversion: 4.600 CFSLocation of Point(s) of Diversion

BIG LOST RIVER SW1/4NE1/4Sec. 33,Twp 07N,Rge 24E, B.M. CUSTER County

Place of Use IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N 25E 2		33.0	40.0		37.0	39.0	7.0	33.0									189.0
		L 2			L 3	L 4											
06N 25E 25									9.0								9.0
06N 25E 26									17.0				39.0	30.0			86.0
06N 25E 34	28.0	39.0	40.0	35.0				40.0	40.0				39.0	40.0		39.0	340.0
	L 1			L 2									L 3			L 4	
06N 25E 35					37.0	38.0	40.0	40.0	37.0	40.0	40.0	40.0					312.0

Total Acres: 936

Remarks:

1. THIS RIGHT IS FOR AN ENLARGEMENT OF 531 AC W/IN THE POU DESCRIBED FOR THIS RIGHT. WATER IS DELIVERED THROUGH THE DARLINGTON DITCH.
2. THIS RIGHT IS BASED UPON AN ENLARGEMENT OF 34-872A & 34-10729 PURSUANT TO SECT 42-1426, IDAHO CODE.
3. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRR OF A COMBINED TOTAL OF 936 AC IN A SINGLE IRR SEASON. COMBINED RIGHTS: 34-116A,34-872A,34-2321,34-7015,34-10729,34-10763, 34-10765, 34-10767, AND 34-13568.
4. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 23.94 CFS. COMBINED RIGHTS: 34-116A,34-872A,34-2321,34-7015,34-10729,34-10763,34-10765,34-10767, AND 34-13568. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 8.10 CFS. COMBINED RIGHT.: 34-00872A, 34-10729, AND 34-13568.

Comments:

1. DSHAFF 1/22/1998 THIS IS AN EXPANSION CLAIM FOR 531 ADDITIONAL ACRES
 Documentation of Ownership of the Current Place of Use
 Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

Dates and Other Information:

Decreed Date: 6/4/2001
 State or Federal: S
 Civil Case Number: 39576
 Judicial District: FIFTH

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 34-194A V2

WATER RIGHT NUMBER: 34-194A V2

Owner Type Name and Address

Current Owner DIAMOND LAZY L RANCH LTD
C/O JAMES LORD
PO BOX 5
DARLINGTON, ID 83231
(208)588-3066

Priority Date: 05/10/1897

Basis: Decreed

Status: Active

SourceTributary

BIG LOST RIVER

SINKS

Beneficial UseFrom ToDiversion RateAnnual Volume

IRRIGATION

5/01 to 10/15

1.696 CFS

Total Diversion: 1.696 CFSLocation of Point(s) of Diversion

BIG LOST RIVER	NE1/4NE1/4NW1/4Sec. 11,Twp 05N,Rge 25E, B.M.	CUSTER County(Injection)
BIG LOST RIVER	NW1/4SW1/4NE1/4Sec. 33,Twp 07N,Rge 24E, B.M.	CUSTER County
BIG LOST RIVER	SW1/4NW1/4SE1/4Sec. 35,Twp 06N,Rge 25E, B.M.	CUSTER County(Rediversion)

Place of Use IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N 25E 35	18.0	39.0	36.0	35.0									40.0	32.0			200.0
06N 25E 36						21.0											21.0

Total Acres: 221

Remarks:

1. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRR OF A COMBINED TOTAL OF 221 AC IN A SINGLE IRR SEASON. COMBINED RIGHTS: 34-481,34-482,34-849B & 34-02367. THIS RIGHT IS LIMITED TO THE IRR OF 84.8 ACS W/IN THE POU DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
2. USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 6.18 CFS. COMBINED RIGHT NOS.: 34-00481, 34-00482, 34-00849B AND 34-02367.
3. WATER IS DELIVERED THROUGH THE DARLINGTON DITCH.
4. POINT OF INJECTION INTO AND POINT OF REDIVERSION FROM ANTELOPE CREEK.

Comments:

1. TAYLOR 1/16/1991 CCL NEED LETTER ON CHANGE TO PERIOD OF USE.
2. TAYLOR 8/8/1991 FILED AS A PORTION OF 34-00194. WATER HAS BEEN DIVERTED AND USED ON THIS PLACE OF USE FOR MANY YEARS. EXACT DATE WHEN CHANGED IS NOT KNOWN.
3. TAYLOR 4/29/1992 *FOUND THAT THE SOURCE IS NOT ANT. CREEK. THE WATER IS BEING DELIVERED THROUGH THE DARLINGTON AND THEN INJECTED INTO ANT. CR.. THIS IS HOW THE IRR. DIST. IS DELIVERING THE RIGHT AND THE CLAIM CANNOT BE RECOMMENDED IF THE SOURCE IS ANTELOPE CR..
4. WHITE 5/10/1992 ADDED "THE AMOUNT OF WATER....FROM POINT OF REDIVERSION".

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

Dates and Other Information:

Decreed Date:

State or Federal: S

Owner Name Connector: OR

Water District Number: 34

SubCase:

SubCase Number: 34-194A

Class: 1

SF5 Filed Date:

Special Master Recom Signed Date: 2/17/1998

Attorney Assigned: SARA C DENISTON

Adjudication Agent:

Basis of Claim:

Date Filed: 2/26/1993 Objection Status: Withdrawn or

Dismissed

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 34-13568

WATER RIGHT NUMBER: 34-13568

Owner Type Name and Address
 Current Owner SCOTT L WHITWORTH
 BOX 147
 MAY, ID 83253
 (208)876-4432

Priority Date: 05/01/1980 Basis: Decreed Status: Active

Source Tributary
 ANTELOPE CREEK BIG LOST RIVER

Beneficial Use From To Diversion Rate Annual Volume
 IRRIGATION 5/01 to 10/15 4.680 CFS

Total Diversion: 4.680 CFS

Location of Point(s) of Diversion

ANTELOPE CREEK SE1/4NE1/4Sec. 21,Twp 05N,Rge 25E, B.M. CUSTER County

Place of Use IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05N	25E	2		33.0	40.0		37.0	39.0	7.0	33.0									189.0
				L 2				L 3	L 4										
06N	25E	25											9.0						9.0
06N	25E	26												17.0			39.0	30.0	86.0
06N	25E	34	28.0	39.0	40.0	35.0				40.0	40.0				39.0	40.0		39.0	340.0
				L 1		L 2										L 3		L 4	
06N	25E	35					37.0	38.0	40.0	40.0	37.0	40.0	40.0	40.0					312.0

Total Acres: 936

Remarks:

1. WATER IS DELIVERED THROUGH THE HANRAHAN DITCH. THIS RIGHT IS FOR AN ENLARGEMENT OF 471 ACRES WITHIN THE PLACE OF USE DESCRIBED FOR THIS RIGHT. THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NOS.: 34-116A, 34-10763, 34-10765, & 34-10767 PURSUANT TO SEC 42-1426 CODE.
2. USE OF THIS RIGHT WITH RIGHT NOS. 34-116A, 34-10763, 34-10765, 34-10767, 34-872A, 34-10729, 34-02321, 34-7015, & 34-13567 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 23.94 CFS. USE OF THIS RIGHT WITH RIGHT NOS. 34-00116A, 34-10763, 34-10765, 34-10767, & 34-13567 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 9.30 CFS.
3. USE OF THIS RIGHT WITH RIGHT NOS. 34-116A, 34-10763, 34-10765, 34-10767, 34-872A, 34-10729, 34-2321, 34-07015, & 34-13567 IS LIMITED TO THE IRR OF A COMBINED TOTAL OF 936 AC IN A SINGLE IRR SEASON.

Comments:

1. THIS is an ENLARGEMENT TO RIGHTS 34-10767, 34-10765, 34-10763 & 34-00116A FOR AN ADDITIONAL 471 AC. Documentation of Ownership of the Current Place of Use
 Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

Dates and Other Information:

Decreed Date: 6/4/2001
 State or Federal: S
 Civil Case Number: 39576
 Judicial District: FIFTH